

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Public Safety and Homeland Security Bureau	)	PS Docket No. 19-254
Seeks Comment on Petitions Filed by the	)	
Boulder Regional Emergency Telephone Service	)	
Authority	)	

**COMMENTS OF SOUTHERN COMMUNICATIONS SERVICES, INC. AND  
CELLULAR SOUTH, INC. D/B/A C SPIRE**

**I. INTRODUCTION.**

Southern Communications Services, Inc. d/b/a Southern Linc (“Southern Linc”)<sup>1</sup> and Cellular South, Inc. d/b/a C Spire (“C Spire”)<sup>2</sup> support the adoption of interoperability standards for first responders.<sup>3</sup> In the *Public Notice*, the Federal Communications Commission (“FCC” or the “Commission”) seeks comment on the Boulder Regional Emergency Telephone Service Authority (“BRETSA”) petition<sup>4</sup> that asks the Commission adopt (i) a declaratory ruling that “interoperability is a fundamental responsibility of FirstNet and that FirstNet is supported at all levels including network, services, applications, and devices” and (ii) a notice of proposed

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<sup>1</sup> Southern Linc, an Atlanta-based regional wireless carrier, provides an array of mission-critical services, including push-to-talk (“PTT”); voice; and data services, throughout Alabama, Georgia, southeast Mississippi, and the Florida panhandle.

<sup>2</sup> C Spire has provided critical voice and data communications services to Mississippi first responders and public safety officials for decades.

<sup>3</sup> See *Public Safety and Homeland Security Bureau Seeks Comment on Petitions Filed by the Boulder Regional Emergency Telephone Service Authority*, Public Notice, PS Docket No. 19-254, DA 19-902 (rel. Sept. 11, 2019) (“*Public Notice*”).

<sup>4</sup> See Boulder Regional Emergency Telephone Service Authority Petition for Reconsideration, or in the Alternative, Petition for Declaratory Ruling and Petition for Rulemaking, PS Docket No. 16-269, *et al.* (filed Nov. 21, 2018) (“BRETSA Petition”).

rulemaking or notice of inquiry ensuring interoperability between FirstNet and other service providers.<sup>5</sup> The Commission should grant both requests.

Achieving interoperability is not a simple matter of using the same LTE air interface as commercial operators. Without detailed guidance about precisely *how* to interconnect networks, route traffic and perform other essential network functions, FirstNet will not—and cannot—interoperate with the wide array of communications platforms public safety officials use when responding to natural disasters and emergencies. Directing FirstNet to embrace network interoperability and offering FirstNet expert-agency guidance on how to achieve common standards and practices across communications platforms will reduce public safety expenses and promote product differentiation and innovation. By contrast, allowing the present lack of interoperability to continue without clear standards or guidelines from the Commission will frustrate the ability of public safety officials to make informed decisions about which products best serve their organizations and ultimately threaten the ability of public safety to protect the public in times of emergency.<sup>6</sup>

## **II. WITHOUT COMMISSION CLARIFICATION AND STANDARDS, PUBLIC SAFETY AGENCIES AND FIRST RESPONDERS MAY BE WORSE OFF UNDER FIRSTNET.**

For decades, public safety agencies and first responders have contended with limited or no interoperability between public safety radio systems serving adjacent jurisdictions and even

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<sup>5</sup> See BRETSA Petition at 8. Specifically, BRETSA requested the NPRM or NOI address (i) roaming and prioritization as it applies to applications such as PTT and mission-critical PTT (“MCPTT”), as well as other applications that will face the same issues; (ii) non-FirstNet providers’ responsibilities to cooperate with FirstNet to develop interoperable solutions; (iii) roaming and prioritizations as applicable to non-FirstNet providers; and (iv) the Commission’s processes and standards for dispute resolution relating to interoperability, roaming, and prioritization.

<sup>6</sup> See Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156 (2012) (“Spectrum Act”); 47 U.S.C. § 1401(21).

within a single jurisdiction during natural disasters and emergencies. In authorizing the creation of FirstNet, Congress made interoperability a linchpin. The Spectrum Act states that FirstNet “shall ensure the establishment of a nationwide, interoperable public safety broadband network,”<sup>7</sup> and it defines “nationwide public safety broadband network” to mean an “interoperable public safety broadband network.”<sup>8</sup> The Spectrum Act also established the Technical Advisory Board for First Responder Interoperability to “develop recommended minimum technical requirements to ensure a nationwide level of interoperability for the nationwide public safety broadband network” based on “the commercial standards for [LTE] service.”<sup>9</sup> Although the Board purported to establish cross-platform interoperability based on an LTE standard, the Board has provided no meaningful interoperability guidance on exactly how FirstNet will accommodate the many existing statewide land mobile radio (“LMR”) networks and commercial mobile radio networks first responders actually use.

Southern Linc and C Spire urge the Commission to affirm that ensuring interoperability between public safety communications systems and other wireless networks is a fundamental responsibility of FirstNet. Holding FirstNet accountable for achieving interoperability is a critical national priority, not an indistinct future goal. Large-scale events such as Hurricane Michael<sup>10</sup> continue to require immediate coordination between and among multiple public safety agencies and first responders from multiple jurisdictions, most of which use different mobile

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<sup>7</sup> 47 U.S.C. § 1422(a).

<sup>8</sup> 47 U.S.C. § 1401(21).

<sup>9</sup> 47 U.S.C. § 1401.

<sup>10</sup> Hurricane Michael, which made landfall on October 10, 2018, was the strongest storm to hit the Florida Panhandle in recorded history and the strongest storm to hit the continental United States since Hurricane Andrew in 1992. *See Public Safety and Homeland Security Bureau Seeks Comment on Hurricane Michael Preparation and Response*, Public Notice, 33 FCC Rcd 11239, 11239 (2018).

radio networks.<sup>11</sup> So long as public safety agencies find value in relying on a multiplicity of vendors other than FirstNet for mission-critical performance, most meaningful public safety incidents will require multi-agency collaboration and, by extension, multiple radio networks.

FirstNet's lack of interoperability guidance—or even a commitment to the principle of cross-network interoperability—continues to frustrate cross-platform communications. Granting BRETSA's petition for declaratory ruling will represent an important milestone in prompting FirstNet to interoperate with land mobile and commercial mobile radios that public safety agencies use. The ability of multiple agencies to communicate and exchange information between applications, databases, and systems when responding to emergencies will save lives and protect first responders and the public.<sup>12</sup> Interoperability must exist for sharing priority and preemption protocols, applications, local control, non-mission-critical and mission-critical PTT communications, and off-air device-to-device communications.

Congress also recognized that interoperability requires constant vigilance—not one-time review. C Spire previously highlighted the potential negative consequences of piecemeal or non-existent interoperability standards.<sup>13</sup> For emergency situations where multiple agencies or

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<sup>11</sup> *See, e.g.*, Comments of Southern Company Services, Inc., PS Docket No. 18-339 (filed Dec. 17, 2018).

<sup>12</sup> Other stakeholders, including Competitive Carriers Association; Verizon; and the Mississippi Wireless Communications Commission, have urged the Commission to clarify that AT&T and FirstNet must ensure interoperability with commercial carriers. *See* Letter of Rebecca Murphy Thompson, EVP & General Counsel, Competitive Carriers Association, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 16-269, *et al.* (filed Aug. 20, 2018); Letter of Robert Morse, Assistant General Counsel – Federal Regulatory and Legal Affairs, Verizon, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 16-129, *et al.* (filed July 12, 2018); Letter of Vicki B. Helfrich, Executive Officer, Mississippi Wireless Communications Commission PS Docket No. 16-129, *et al.* (filed Dec. 6, 2018).

<sup>13</sup> *See* Letter from Benjamin M. Moncrief, Vice President, Government Relations, C Spire, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 16-269, *et al.* (filed Jul. 26, 2018).

jurisdictions must respond, Mississippi's P25 LMR network is interoperable statewide.<sup>14</sup> The State of Alabama has achieved statewide inter-agency interoperability through use of Southern Linc as a single statewide PTT vendor for over two decades.<sup>15</sup> However, with the implementation of FirstNet across the country, current implementations of network-based applications like PTT and MCPTT, will result in situations where communications systems are no longer interoperable when they are needed most—during natural disasters and emergencies. Lack of network interoperability after Hurricane Katrina, for example, forced “[m]edical personnel [to] track[] patient movements on post-it notes.”<sup>16</sup> Additionally, the recent experience of Hurricane Michael underscores the critical need to ensure interoperability between public safety communications systems, regardless of which network they may be on.<sup>17</sup>

These types of interoperability problems for public safety users will persist or increase if the Commission does not establish clear interoperability standards through a notice of proposed rulemaking. Public safety radio system vendors have previously leveraged limited interoperability and non-interoperability to drive their own market share. AT&T appears to be following suit. AT&T recently conceded that FirstNet system may not provide full interoperability, including with LMR and other commercial mobile radio networks public safety priority offerings.<sup>18</sup> Without clear interoperability standards for network prioritization,

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<sup>14</sup> See *MSWIN*, Mississippi Wireless Communication Commission, <https://bit.ly/2mXUFOL> (last visited Sept. 26, 2019).

<sup>15</sup> See *Southern Linc Service Contract with State of Alabama Renewed through October 2015*, Southern Linc (June 3, 2014), <https://bit.ly/2n4EU96>.

<sup>16</sup> *The Evolution of Public Safety Radio Communications in Mississippi*, Mississippi Wireless Communications Commission (Mar. 2016), <https://bit.ly/2lfWoPd>.

<sup>17</sup> See Comments of Southern Company Services, Inc., PS Docket No. 18-339 (filed Dec. 17, 2018).

<sup>18</sup> See BRETSA Petition at 4; see also Donny Jackson, *AT&T exec discusses core-to-core interoperability, Verizon proposal, FirstNet differentiators*, Urgent Communications, at 2 (Aug.

applications, roaming and dispute resolution, public safety users will not be able to choose between providers offering the best service and price without worry that the systems they choose are interoperable with other public safety networks.

### III. CONCLUSION.

Southern Linc and C Spire support BRETSA's petition for declaratory ruling and a notice of proposed rulemaking. Granting BRETSA's petition promises to help protect mission-critical communications systems, increase service quality and reduce prices for first responders. Ensuring that AT&T's FirstNet can seamlessly interoperate with other land mobile and commercial mobile radio systems will give first responders the freedom to choose the products and services that best advance their mission and will reduce the threat of catastrophic communications failures that compromise public safety.

Respectfully submitted,

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17, 2017), <https://bit.ly/2n72Fgt> (“If you are not on a FirstNet subscription, you will not have the same capabilities as the public-safety users on FirstNet—we need to be clear about that.”).