

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

In the Matter of)	
)	
Review of the Commission’s Part 95 Personal Radio Services Rules)	WT Docket No. 10-119
)	
Petition for Rulemaking of Garmin International, Inc.)	RM-10762
)	
Petition for Rulemaking of Omnitronics, L.L.C.)	RM-10844

Petition for Partial Reconsideration of Motorola Solutions, Inc.

In accordance with Section 1.429 of the Federal Communications Commission’s (“Commission” or “FCC”) Rules, Motorola Solutions, Inc. (“Motorola Solutions”), hereby seeks partial reconsideration of the Report and Order adopted in the above-captioned rulemaking.¹ Specifically, Motorola Solutions asks that the Commission revisit the topic of allowing automatic or periodic GPS and data transmissions in the General Mobile Radio Service (“GMRS”). The Report and Order did not discuss the merits of this proposal for “lack of an adequate record on which to consider” the matter.² As demonstrated herein, the issue was sufficiently raised in the public record to enable the Commission to determine on the merits whether automatic or periodic transmissions should be allowed on GMRS frequencies. Motorola Solutions therefore urges the Commission to reconsider its dismissal of this issue and instead address the proposal on its merits in a subsequent order.

¹ *Review of the Commission’s Part 95 Personal Radio Service Rules*, WT Docket No. 10-119, *Report and Order*, 32 FCC Rcd 4292 (2017) (*Report and Order*).

² *Id.* at ¶ 39.

I. BACKGROUND.

This proceeding was initiated to update and revise the Part 95 Personal Radio Services (“PRS”) rules, which provides operational, licensing and technical rules for a variety of radio services designed for personal communications.³ Motorola Solutions’ interest in this proceeding has been limited to changes focusing on the GMRS and the closely related Family Radio Service (“FRS”), in particular, the issue of permitting data transmissions on GMRS frequencies. The issue of allowing data transmissions on GMRS frequencies was first raised in a 2003 Petition for Rulemaking filed by Garmin International which requested that the Commission permit the transmission of Global Positioning System (“GPS”) coordinates on the 462 MHz GMRS channels.⁴

The 2010 NPRM put forward the proposals raised in the Garmin Petition and stated that the Commission sees “benefits in allowing such transmissions on GMRS spectrum and propose to amend the GMRS rules to permit the transmission of GPS location information and user-generated text messages under the same limitations that apply to FRS.”⁵ In so doing, the NPRM added that interested parties should “address any concerns regarding increased interference potential to voice communications as well as ways to minimize such interference, including

³ See Review of the Commission’s Part 95 Personal Radio Services Rules, WT Docket No. 10-119, *Notice of Proposed Rulemaking and Memorandum Opinion and Order on Reconsideration*, 25 FCC Rcd 7651 (2010) (“NPRM”).

⁴ Garmin International, Inc. Petition for Rulemaking, RM-10762 (filed July 22, 2003) (“*Garmin Petition*”).

⁵ NPRM at ¶ 42.

channel restrictions and duty cycle requirements.”⁶ Finally, commenters were asked to address whether all or only some GMRS channels should be permitted to transmit location information.”⁷

In the subsequent Report and Order released earlier this year, the Commission noted that “we are not adopting certain suggestions that were very recently filed in this proceeding because of the lack of an adequate record on which to consider them at this time.”⁸ Among the issues not adopted were those that “relate to allowing automatic or periodic GPS and data transmissions on GMRS devices” with included citations to *ex parte* presentations submitted by Motorola Solutions.⁹

II. THE COMMISSION HAD ADEQUATE RECORD TO CONSIDER AUTHORIZING GMRS AUTOMATIC DATA TRANSMISSIONS.

The Commission’s claim that “the lack of an adequate record on which to consider...allowing automatic or periodic GPS and data transmissions on GMRS devices” is unsupported by the record.¹⁰ By requesting comment on the personal safety benefits and increased interference potential of allowing GPS location information and user-generated text messages in the GMRS, the FCC opened discussion and sparked meaningful discussion on the question of allowing automatic or periodic GPS and data transmissions, and therefore should be considered in a review of the FCC’s rules. In its timely filed comments responding to the NPRM, Motorola supported the FCC’s proposal and stated that allowing GPS transmissions “could have significant personal safety benefits, particularly when hunting, hiking, or engaging

⁶ *Id.*

⁷ *Id.*

⁸ *Report and Order* at ¶ 39.

⁹ *Id.*

¹⁰ Review of the Commission’s Part 95 Personal Radio Service Rules, WT Docket No. 10-119, *Report and Order*, 32 FCC Rcd 4292, 4308 (2017).

in other outdoor activities”¹¹ In a series of *ex parte* presentations that began nearly two years prior to the adoption of the Report and Order, Motorola articulated its position that “[a]utomatic or periodic transmissions should be allowed rather than only manually triggered.”¹² Uniden America Corporation contributed to the conversation, claiming that “to ensure that data does not create unwanted channel congestion, such bursts should be required to be either manually triggered or be automatically triggered by a specific event (i.e. change in location triggering), and such automated messages must be limited to no more frequently than once every 2 minutes and no more than 5 seconds in duration.”¹³

Thus, the idea that GMRS location and other text transmissions could be performed automatically was discussed in the record generated by the NPRM and adoption of such rules would be a logical outgrowth of the proposals contained in the NPRM to allow data messages in the GMRS service. Almost all of the issues surrounding the provision of allowing manually generated data transmissions in the GMRS apply equally to transmissions initiated automatically. Parameters that influence the analysis of whether voice and data communications are able to co-exist harmoniously in the GMRS are transmit power, transmit frequency, and interference to GMRS repeater input frequencies and the Commission rendered decision on these factors (either tacitly or directly) as they apply to manually originated data transmission. The only significant

¹¹ *Comments of Motorola, Inc.*, WT Docket No. 10-119, filed September 3, 2010, 7.

¹² *Ex Parte* Letter from Michael A. Lewis, representing Motorola Solutions, Inc., to Marlene H. Dortch, Sec’y, Federal Communications Commission, WT Docket No. 10-119, filed June 8, 2015; *Ex Parte* Letter from Edward “Smitty” Smith, representing Motorola Solutions, Inc., to Marlene H. Dortch, Sec’y, Federal Communications Commission, WT Docket No. 10-119, filed April 17, 2017; *see Ex Parte* Letter from Edward “Smitty” Smith, representing Motorola Solutions, Inc., to Marlene H. Dortch, Sec’y, Federal Communications Commission, WT Docket No. 10-119, filed May 10, 2017.

¹³ *Ex Parte* Letter from Gregg P. Skall, representing Uniden America Corp., to Marlene H. Dortch, Sec’y, Federal Communications Commission, WT Docket No. 10-119, filed June 11, 2015

difference between manual and automatic transmissions is the frequency (*i.e.*, duty cycle) in which a radio could transmit the data information. Presumably, transmissions initiated by automatic means could occur more frequently and for extended periods of time than manual transmissions but this point was raised in comments with a recommendation that automated transmissions be limited to no more frequently than once every 2 minutes and no more than 5 seconds in duration. Motorola Solutions further notes that the FCC did not adopt any limits on the frequency or duration that manual transmissions could be performed.

III. CONCLUSION.

Upon review of the record generated by Motorola Solutions and other stakeholders over the course of this proceeding, it is logical to conclude that there is an adequate record with which the Commission can consider the topic of allowing automatic or periodic GPS and data transmissions on GMRS devices and incorporate the perspectives reflected in the record into a future order. Motorola Solutions requests the Commission to reconsider this issue and reevaluate the record to determine whether further revision of its Part 95 Personal Radio Services Rules is warranted. Further, interested parties will have ample opportunity to provide additional reaction and recommendations during the comment cycles generated by this petition for reconsideration so that the needs of all interested GMRS users are fully considered.

Respectfully Submitted,

/s/ Chuck Powers

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September 28, 2017