

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Proposed Amendments to the Service Rules Governing Public Safety Narrowband Operations in the 769-775/799-805 MHz Bands)	PS Docket No. 13-87
)	
National Public Safety Telecommunications Council Petition for Rulemaking on Aircraft Voice Operations at 700 MHz)	RM-11433
)	
National Public Safety Telecommunications Council Petition for Rulemaking to Revise 700 MHz Narrowband Channel Plan)	RM-11433
)	
Region 24 700 MHz Regional Planning Committee Petition for Rulemaking)	WT Docket No. 96-86 PS Docket No. 06-229
)	
State of Louisiana Petition for Rulemaking)	RM-11577

PETITION FOR CLARIFICATION OF MOTOROLA SOLUTIONS INC.

Motorola Solutions, Inc. (“Motorola Solutions”), pursuant to Section 1.429 of the Federal Communications Commission’s Rules,¹ hereby submits this Petition for Clarification of Sections 90.547² and 90.548³ of the Commission’s rules, as revised by the Commission’s 2014 *Report and Order* implementing changes to the rules governing the 700 MHz public safety narrowband spectrum (769-775/799-805 MHz).⁴ Specifically, Motorola Solutions respectfully requests that the Commission clarify that only subscriber devices that are capable of operating on the

¹ 47 C.F.R. § 1.429.

² 47 C.F.R. § 90.547

³ 47 C.F.R. § 90.548

⁴ Proposed Amendments to the Service Rules Governing Public Safety Narrowband Operations in the 769-775/799-805 MHz Bands, PS Docket No. 13-87, *Report and Order*, 29 FCC Rcd 13283 (2014) (“700 MHz Narrowband Report and Order”).

designated nationwide narrowband interoperability channels in conformance with the technical standards identified in Section 90.548 of the Commission’s rules are permitted to operate in the 700 MHz public safety narrowband spectrum.⁵ Absent such a clarification, Motorola Solutions fears that some might mistakenly interpret the Commission’s rules to permit the introduction of non-interoperable technologies in the 700 MHz public safety narrowband spectrum, on the logic that the devices could later be programmed and reconfigured to include the mandated interoperability protocols. Such an interpretation would undermine the Commission’s fundamental “objective . . . [for] requiring all 700 MHz equipment to be capable of operating on these channels . . . to ensure that all public safety entities could communicate with one another, especially during disaster situations,”⁶ and thus would be contrary to the public interest.

The Commission has long maintained both that “all narrowband mobile and portable 700 MHz band public safety radios [must] be capable of operating on all of the narrowband nationwide interoperability channels,”⁷ and that its “rules requires any radio designed to operate on the 700 MHz narrowband interoperability channels to conform to the ANSI 102 Project 25 (P25) technical standards.”⁸ In 2014, the Commission determined that public safety agencies had flexibility to choose which interoperability channels to program onto their devices, and accordingly it clarified that radios must be capable of being programmed to operate on all of the

⁵ Except for subscriber devices that are designed to operate solely on Low Power Channels. *See* Section 90.547(a)(1).

⁶ The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communication Requirements Through the Year 2010, WT Docket No. 96-86, *Fourth Report and Order and Fifth Notice of Proposed Rulemaking*, 66 Fed. Reg. 10632, ¶ 31 (2011).

⁷ The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communication Requirements Through the Year 2010, WT Docket No. 96-86, *First Report and Order*, 14 FCC Rcd 152, ¶ 135 (1998).

⁸ *700 MHz Narrowband Report and Order* ¶ 57.

interoperability channels, but the rules do not require that every radio have every interoperability channel programmed into it and available to the user.⁹ Motorola Solutions understands the flexibility endorsed by the Commission to pertain to the specific channels programmed into the radio and made immediately available to the user, not to the functional capability of every 700 MHz narrowband public safety device to operate over the interoperability channels pursuant to the technical standards dictated by the Commission's rules.

The Commission should make clear that all radios operating on the 700 MHz narrowband public safety spectrum must be technically capable of operating across all of the designated interoperability channels (though it is left to the discretion of the public safety agency which channels to program into devices), and that they must be able to operate over the interoperability channels only pursuant to the interoperability technical standards set forth in the Commission's rules. In making this clarification, the Commission should further specify that the Section 90.547 requirement that devices "be capable of being programmed to operate" on the designated interoperability channels refers only to the particular channels programmed into a device and made available to a user, not to any other software, air interface, or technology changes that might be necessary in order for a device to operate over the interoperability channels in a compliant manner. Without such an interpretation, there is a risk that devices might go into the hands of public safety users without the active capability to operate over any of the interoperability channels using an interoperable technology.

Making clear that access to the interoperability channels is required is consistent with prior precedent. For example, in 2012, the Commission stated that it "will not allow TETRA technology to operate in 700 MHz public safety spectrum" because "the Commission's rules

⁹ *Id.* ¶ 84.

require that 700 MHz narrowband radios use Project 25 Phase I technology on the 700 MHz narrowband interoperability channels, and there is no indication in the record that TETRA equipment would conform to this standard.”¹⁰ More recently, in 2014 the Commission concluded that analog operations should be prohibited on the interoperability channels, finding that “allowing two modulation modes on a channel reserved for interoperable voice communications would seriously impair interoperability.”¹¹ In keeping with these determinations, the Commission should clarify that, taken together, Sections 90.547 and 90.548 require that 700 MHz narrowband public safety subscriber devices must be capable of operating on all of the designated nationwide interoperability channels (though all channels need not be programmed and available to users in all devices), and must operate over these channels only pursuant to the interoperability standards set forth in Section 90.548.

Respectfully submitted,

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¹⁰ Amendment of Part 90 of the Commission's Rules to Permit Terrestrial Trunked Radio Technology, WT Docket No. 11-69, *Report and Order*, 27 FCC Rcd 11569, 11574 ¶ 10 (2012).

¹¹ *700 MHz Narrowband Report and Order* ¶ 87.