

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of )  
 )  
The Development of Operational, Technical )  
and Spectrum Requirements for Meeting ) WT Docket No. 96-86  
Federal, State and Local Public Safety )  
Communications Requirements Through the )  
Year 2010 )

To: The Commission

**REPLY COMMENTS  
OF  
CYREN CALL COMMUNICATIONS CORPORATION**

Cyren Call Communications Corporation (“Cyren”), in accordance with Section 1.415 of the Federal Communications Commission (“FCC” or “Commission”) Rules and Regulations, respectfully submits its Reply Comments in the above-entitled proceeding.<sup>1</sup> It is clear from the record that the Commission was correct to seek additional input on the use of the 24 MHz of 700 MHz spectrum allocated for public safety use. It is evident that interested parties generally believe the current band plan must be updated in light of revolutionary technological innovations since its adoption almost ten years ago. While there is not unanimity on the optimal allocation scheme for the band, the FCC’s initiation of this debate can be expected to produce tangible, operational benefits for public safety users and the public they serve.

In its comments, Cyren highlighted two points that define the inherent tension in this proceeding. First, the Commission’s own findings confirm the critical need for public safety broadband capability and recognize that substantial allocations are needed to support those

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<sup>1</sup> *Eighth Notice of Proposed Rulemaking*, WT Docket No. 96-86, FCC 06-34 (rel. Mar. 21, 2006) (“NPR” or “Notice”).

capabilities.<sup>2</sup> Second, it is essential that neither Cyren's recently filed Petition for Rule Making<sup>3</sup> nor the instant proceeding adversely affect public safety's ongoing deployment of 700 MHz systems where needed to serve existing requirements. This tension arises because the current 700 MHz band configuration did not contemplate a need for broadband capability. It was designed to satisfy public safety requirements that could be anticipated almost a decade ago, well before the many advantages of broadband technology were recognized by the wireless industry. Because it is structured with narrowband voice allocations at either end, it offers only a limited opportunity to deploy broadband on the remaining spectrum in the middle, assuming the rules are modified to permit such operations.<sup>4</sup> Even then, there would be no ability to integrate such channels with the broadband public safety network that the Cyren Petition proposes to be established on the adjacent 30 MHz of 700 MHz spectrum. Moreover, substantial, spectrally inefficient guard bands will remain necessary to prevent interference to narrowband public safety operations under the current configuration.<sup>5</sup>

On the other hand, parties such as the National Public Safety Telecommunications Council ("NPSTC"), the Association of Public-Safety Communications Officials-International, Inc. ("APCO"), and the Joint Comments filed by the International Association of Chiefs of

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<sup>2</sup> Report to Congress on the Study to Assess the Short-Term and Long-Term Needs for Allocations of Additional Portions of the Electromagnetic Spectrum for Federal, State, and Local Emergency Response Providers, WT Docket No. 05-157 (Dec. 16, 2005).

<sup>3</sup> *In the Matter of Reallocation of 30 MHz of 700 MHz Spectrum (747-762/777-792 MHz) From Commercial Use: Assignment of 30 MHz of 700 MHz Spectrum (747-762/777-792 MHz ) to the Public Safety Broadband Trust for Deployment of a Shared Public Safety/Commercial Next Generation Wireless Network*, filed April 27, 2006 ("Cyren Petition").

<sup>4</sup> Several public safety entities and representatives emphasized the importance of reserving for the Regional Planning Committees ("RPCs") the discretion to determine the appropriate broadband/wideband utilization of this spectrum in each of their particular regions. While Cyren appreciates the value of maintaining that level of flexibility, doing so eliminates any possibility that this spectrum could be used for nationwide interoperable communications. That most vital requirement will need to be satisfied on other spectrum.

<sup>5</sup> Any FCC restructuring of the 700 MHz band should favor approaches that minimize or eliminate the need for wasteful guard band allocations and, where they remain necessary, should opt for allocations that place the parties to be protected in control of their own guard band spectrum. The Commission has an opportunity to revisit this issue when it takes up disposition of the 700 MHz B Block spectrum recovered from Nextel Communications, Inc. in conjunction with the 800 MHz reconfiguration proceeding.

Police, Major Cities Chiefs Association, the National Sheriffs' Association, and the Major County Sheriff's Association ("Joint Commenters") have emphasized the immediate importance of this band for satisfying identified public safety needs. It is their opinion that the longer-term gain from a 700 MHz band restructuring that would promote broadband opportunities is outweighed by the disruption that would be caused to existing public safety plans for narrowband system deployment.<sup>6</sup>

Moreover, these and several other commenters state that some 600,000 radios would need to be modified should the FCC alter the channels for 700 MHz narrowband operations. While certainly some number of those radios would require modification and the cost of doing so must be assumed by someone(s) other than public safety, it is unclear at the moment how many units would require adjustment. Cyren understands that essentially all Motorola radios available within the last five years or so are dual-band 700/800 MHz. Some percentage presumably was purchased for 800 MHz capability, including on the additional spectrum that will become available to public safety as a result of 800 MHz reconfiguration, and not because the user had an intention of operating on 700 MHz spectrum. Thus, while the cost of modifying radios that actually would use 700 MHz narrowband spectrum would need to be addressed, that cost must be balanced against the extraordinary benefits to public safety from a band plan that could deliver significantly greater efficiency and capabilities.

Cyren respects and accepts the NPSTC, APCO, and Joint Commenters' position opposing relocation of the 700 MHz narrowband channels, recognizing, as do its proponents, that the result will be less than optimal utilization of this uniquely valuable spectrum. It clearly is not the band plan that would be adopted if the Commission and the public safety community were

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<sup>6</sup> See, e.g., NPSTC Comments at 6-9; APCO Comments at 2; Joint Commenters at 3.

developing an initial band plan today.<sup>7</sup> However, Cyren also concurs with NPSTC's assessment that "the current 700 MHz allocation, as vital as it is and no matter its structure, is not adequate to meet public safety's narrowband, broadband, and wideband voice and data requirements."<sup>8</sup> It is for precisely that reason that Cyren submitted its Petition. The record in this proceeding underscores the vital importance of proceeding with the reallocation recommended in the Cyren Petition as it represents the only economically and technically viable proposal for delivering meaningful broadband capability to public safety, consistent with the FCC's findings in its report to Congress.<sup>9</sup>

Respectfully submitted,

**CYREN CALL COMMUNICATIONS  
CORPORATION**

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<sup>7</sup> See, e.g., Comments of Region 24 700 MHz Regional Planning Committee.

<sup>8</sup> NPSTC Comments at 9.

<sup>9</sup> See n. 2.