

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

In the Matter of)	
)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band)	PS Docket No. 06-229
)	
The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010)	WT Docket No. 96-86
)	

COMMENTS OF SPRINT NEXTEL CORPORATION

I. INTRODUCTION

Sprint Nextel Corporation (Sprint Nextel) submits these comments in response to the Federal Communications Commission’s (Commission) Ninth Notice of Proposed Rulemaking in the above-captioned dockets.¹

Sprint Nextel commends the Commission for its commitment to addressing public safety’s need for reliable communications services through this rulemaking proceeding, which seeks to facilitate the deployment of a nationwide interoperable broadband network for public safety use. Hurricane Katrina and other recent events unfortunately have demonstrated the urgency of public safety organizations’ need for access to improved, reliable, and interoperable communications systems. Sprint Nextel supports efforts to comprehensively explore and discuss options to address public safety’s need for adequate spectrum resources. Sprint Nextel agrees with the Commission

¹ *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010*, PS Docket 06-229 and WT Docket 96-86, Ninth Notice of Proposed Rulemaking, FCC 06-181 (rel. Dec. 20, 2006) (*Ninth Notice*).

that “the time may have come for a significant departure from the typical public safety allocation model,”² and that the effective use of public-private partnerships may create opportunities for using spectrum more efficiently and at reduced cost.³

II. DISCUSSION

In the *Ninth Notice*, the Commission proposes to re-designate twelve megahertz of public safety spectrum in the 700 MHz band (767-773 and 797-803 MHz) from wideband to broadband and to license this spectrum to a single, national public safety licensee who would be responsible for the deployment of a nationwide broadband public safety communications network. This licensee would offer service to public safety entities on a fee-for-service basis.⁴ Notably, this licensee also would be allowed to engage in spectrum leasing agreements with commercial entities for the joint provision of public safety and commercial services.⁵

As emphasized in our prior comments in this proceeding, Sprint Nextel supports the Commission’s actions to ensure that our nation’s first responders have access to adequate spectrum resources to support their communications needs.⁶ In particular, the Commission should continue its efforts to accommodate public safety’s need for broadband technologies and foster the development of innovative public-private partnerships that capitalize on the shared assets and

² *Ninth Notice* at ¶ 11.

³ Sprint Nextel limits the scope of its comments to affirming the value of public safety-private partnerships and of bringing 21st century broadband technology to public safety entities. We make no comment on the spectrum bands that could be allocated to public safety broadband communications.

⁴ *Ninth Notice* at ¶ 19.

⁵ *Id.* at ¶¶ 19, 41-43.

⁶ See Comments of Sprint Nextel Corporation, WT Docket 96-86 at 8 (filed June 6, 2006) (Sprint Nextel 2006 Comments) (observing that public safety broadband operations are feasible in the 700 MHz band, provided that potential interference issues are evaluated in advance and sound engineering practices and technical safeguards are adopted).

expertise of commercial wireless providers and public safety entities.

A. The Public Safety Community Has Demonstrated a Need for Advanced, Broadband Wireless Communications Capabilities

Sprint Nextel encourages the Commission to facilitate public safety entities' access to broadband wireless technologies. As the Commission rightly observes in the *Ninth Notice*, broadband technologies may provide the public safety community with the benefits of integrated voice and high-speed data services, and might facilitate such applications as video surveillance, real-time text messaging and the sharing of high-resolution digital images.⁷ These applications may yield enormous real-time benefits to public safety entities in responding to a crisis or other emergency event. For example, a firefighter entering a building could obtain the site's floor plans and up-to-date medical information, and police officers could share photographs, fingerprints and enforcement records.⁸ Furthermore, comments in the record indicate that current broadband technologies use spectrum approximately ten times more efficiently than wideband technologies.⁹

The record supports the conclusion that the public safety community has a concrete need for advanced broadband communications capabilities. For example, the Spectrum Coalition for Public Safety stated that "[t]he needs for broadband are real and grow dramatically every day with further improvements in technology"¹⁰ In comments submitted earlier this year, the Region 24 700 MHz Regional Planning Committee stated that "[b]roadband is the future of public safety

⁷ *Ninth Notice* at ¶ 12.

⁸ *Id.*

⁹ See *Ex Parte* Presentation submitted by Alcatel-Lucent, WT Docket 96-86, Attachment at 2 (filed Jan. 26, 2007).

¹⁰ Comments of the Spectrum Coalition for Public Safety, WT Docket 96-86, at 3 (filed June 6, 2006).

communications. . . .”¹¹ Indeed, many of the comments filed by public safety licensees express an expectation that the Commission will facilitate broadband communications and focus, therefore, on the matter of how broadband operations will take place within the 700 MHz spectrum allocation.¹² In response to a congressional mandate to provide a report on the spectrum needs of emergency response providers, the Commission already recognized that emergency response providers will benefit from the deployment of an integrated, nationwide, interoperable network capable of offering broadband communications services.¹³

To benefit fully from broadband communications capabilities, first responders from different agencies and jurisdictions should have the ability to communicate with one another immediately, without the need to physically exchange handsets at an incident scene or otherwise engage in time-consuming (and temporary) “fixes” to compensate for incompatible equipment operating on different frequencies. If fire, police, and other emergency response organizations are unable to coordinate their relief efforts because they cannot communicate with one another, the effectiveness of their relief efforts is diminished. The Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks observed that the “increased ability to interoperate with other agencies would have provided greater redundant communications paths and a more coordinated response” following the devastation of Hurricane Katrina.¹⁴ The *Independent*

¹¹ Comments of the Region 24 700 MHz Regional Planning Committee, WT Docket 96-86, at 1 (filed Jan. 30, 2007) (Region 24 700 MHz RPC Jan. 2007 Comments).

¹² See, e.g., Region 24 700 MHz RPC Jan. 2007 Comments.

¹³ See *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 05-157 at 14, ¶ 26 (Dec. 19, 2005) (*FCC Report to Congress*).

¹⁴ See *Report and Recommendations to the Federal Communications Commission*, submitted by the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks, at 26 (June 12, 2006) (*Independent Panel Katrina Report*).

Panel Katrina Report cited instances where, due to a lack of interoperability in the aftermath of Hurricane Katrina, the military felt the need to use “human runners to physically carry messages between deployed units and first responders,” and to use a helicopter to “drop a message in a bottle to warn first responders about a dangerous gas leak.”¹⁵ Given the great strides the wireless industry has made towards developing innovative broadband communications capabilities, first responders deserve better communications options than the proverbial and antiquated “message in a bottle.” As Commissioner Tate declared in her recent written testimony before Congress, “the dissemination of vital information and interoperable communications at every level are the backbone of our defense against natural disasters, attacks on our homeland, and even the possibility of a pandemic, health-related, or environmental attack.”¹⁶

B. Public-Private Partnerships Offer Numerous Public Interest Benefits

By leveraging commercial providers’ widespread scope of deployment, breadth of service offerings and competition-honed technology options, the Commission can provide public safety entities with a means of increasing their efficient use of spectrum while decreasing their costs of service. For example, public-private partnerships may enable public safety entities to take advantage of commercial, off-the-shelf technology and otherwise benefit from commercial carriers’ investments in research and development for advanced wireless technologies. As the FCC’s report to Congress on the spectrum needs of emergency response providers observed, “[i]ncorporating commercial technologies into networks operated by public safety may provide numerous benefits to the public safety community in terms of cost, access to technological advances and efficient

¹⁵ *Id.*

spectrum uses.”¹⁷

Existing real-world cooperative efforts between public safety and private sector entities demonstrate that a public-private partnership model can succeed. Sprint Nextel works side by side with public safety entities in times of emergencies, such as during the recovery and restoration efforts following the devastating hurricane season of 2005.¹⁸ Within 72 hours of Hurricane Katrina’s landfall, Sprint Nextel established a fully functional incident command center near the area of impact. In support of hurricane relief efforts, Sprint Nextel’s Emergency Response Team deployed its unique fleet of Satellite Cells on Light Trucks to over 12 locations (including Emergency Operations Centers, naval installations, oil spill and other locations).¹⁹

During the course of its history, Sprint Nextel’s Emergency Response Team has responded to 23 Presidentially-declared disasters. Commercial wireless entities also provide valuable public safety services through existing priority communications systems such as Government Emergency Telecommunication Service and Wireless Priority Service. By encouraging public safety-private partnerships, the Commission will enable commercial wireless licensees such as Sprint Nextel to expand its already substantial support for the public safety community.

For public-private partnerships to be effective, however, the Commission must adopt rules that realistically allow for these partnerships to flourish. The *Ninth Notice* proposes that “no

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¹⁶ See Written Statement of Deborah Taylor Tate on “Assessing the Communications Marketplace: A View from the FCC,” submitted to the Committee on Commerce, Science, and Transportation, United States Senate, at 6-7 (Feb. 1, 2007).

¹⁷ *FCC Report to Congress* at 22, ¶ 46.

¹⁸ See Comments of Sprint Nextel Corporation, EB Docket No. 06-119 at 4-5 (filed Aug. 7, 2006).

¹⁹ The Emergency Response Team deployed over 7600 units to over 75 agencies (including federal, state and local law enforcement, as well as fire/EMS and military organizations), and provided tactical communications, interoperability, logistical and humanitarian support.

commercial interest may be held in the national license or licensee, and that no commercial interest may participate in the management of the national licensee.”²⁰ An absolute prohibition on commercial involvement in the day-to-day operations of the licensee would likely deprive the entity of crucial expertise in constructing and operating a nationwide broadband network. Some degree of participation by commercial entities, such as through a non-controlling or otherwise capped interest, would allow entities with specialized knowledge and real-world experience to more meaningfully contribute to the successful operation and management of an efficient, nationwide, public safety broadband network. Both public safety and private sector enterprises should share in responsibility for the deployment of a broadband public safety network. Nothing should undermine the primary role of public safety organizations in establishing the objectives and standards that a public safety network must satisfy; however, increasing the flexibility for commercial involvement within the public-private partnership agreement will allow parties to respond and adapt quickly to changing public safety needs.

III. CONCLUSION

Sprint Nextel has enjoyed a longstanding and fruitful partnership with public safety interests and supports the Commission’s efforts to ensure that our country’s first responders have access to world-class, advanced wireless technologies and services. Our public safety officials deserve to benefit from wireless broadband technologies and increasingly must have access to the latest technology to fulfill their missions. Encouraging broadband communications and

²⁰ *Ninth Notice* at ¶ 27.

allowing public safety entities to capitalize on public-private partnerships are important steps that promote the public interest.

Respectfully submitted,

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