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April 5, 2007

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

**Re: Frontline Wireless Proposal**  
**WT Docket Nos. 06-150, 06-169; PS Docket No. 06-229**

Dear Ms. Dortch:

By this letter, the Utilities Telecom Council (UTC) requests that the Federal Communications Commission (FCC, the Commission) place the broadband network proposal, proposed service rules and related materials filed by Frontline Wireless, L.L.C. on public notice in the above-referenced dockets, offering an opportunity for comment.<sup>1</sup> UTC believes that aspects of the Frontline proposal could prove to be of benefit to public safety and other segments of the emergency and disaster response community. However, there has been no opportunity for potential 700 MHz bidders, public safety entities and other stakeholders to provide their input to the Commission, as was offered for other broadband proposals. With time before the mandated 700 MHz auction passing quickly, UTC recommends that a public notice on this issue be released expeditiously.

Unlike other proposals for an interoperable broadband network, implementing the Frontline Wireless proposal appears to be within the FCC's authority, should the agency decide to consider it.<sup>2</sup> The proposal would offer a nationwide, interoperable broadband network incorporating both public safety and commercial 700 MHz spectrum, built to specifications to be agreed upon between the proposed "E block" licensee and a public safety licensee. Frontline's submissions to the Commission also propose an aggressive build-out schedule and priority access to public safety entities as needed.

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<sup>1</sup> See, Comments of Frontline Wireless, LLC, *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150 (filed March 6, 2007); Comments and Reply Comments of Frontline Wireless, LLC, *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, PS Docket No. 06-229 (Feb. 26, 2007 and March 13, 2007); Letter from John Blevins, Counsel to Frontline Wireless, L.L.C. to Marlene H. Dortch, *WT Docket Nos. 06-150 and 06-169; PS Docket No. 06-229* (March 26, 2007).

<sup>2</sup> See, *Order*, Reallocation of 30 MHz of 700 MHz Spectrum (747-762/777-792 MHz) from Commercial Use (DA 06-2278, RM No. 11348) released November 3, 2006 (dismissing petition of Cyren Call Communications Corp. without prejudice).

As the long-time representative of utility and other critical infrastructure telecommunications interests, UTC has an interest in the above-referenced dockets. Many of UTC's members are municipal electric and gas utilities and water authorities, themselves Public Safety eligibles under the FCC's Rules. Moreover, utilities are among the larger emergency response community, with thousands of personnel responding to local or regional disasters on a regular basis to restore vital public services to stricken communities. Utility personnel must have effective communications interoperability and coordination, both among themselves and between their emergency response leadership and public safety agencies. The national issue of effective interoperability that the FCC now seeks to address is of deep concern to UTC and its members.

UTC does not seek access to spectrum allocated to traditional Public Safety entities for its members that are not already eligible for such licensing. However, a proposal such as Frontline's offers opportunities for partnership among the proposed E Block licensee, public safety agencies and critical infrastructure entities such as utilities that could result in a stronger and more effective network. Frontline's proposed service rules, for example, include critical infrastructure entities among those that would be offered direct access to the E block spectrum. Given the documented history of robust utility wireless networks, such access – if coupled with utility input to construction standards – could mean a network designed to withstand long-term power outages. This is just one example of how inclusion of critical infrastructure, as appropriate, could enable much-needed emergency communications interoperability.

Questions remain about aspects of the Frontline proposal, such as the nature of the proposed national public safety licensee, oversight of the network, and others. For that reason, as well as for debate of the more specific provisions, public comment on the proposal is critical. UTC does not now offer support for the proposal as a whole; however, we agree with parties noting that the upcoming auction of 700 MHz spectrum offers a unique opportunity, one that is not likely to come again, to solve the issue of emergency interoperability. Having offered opportunities for public comment on broadband proposals that would require far more change, UTC urges the Commission to open public comment on the Frontline Wireless proposal by placing the designated submissions on public notice as soon as possible.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bill Moroney", with a stylized flourish at the end.

William R. Moroney  
President & Chief Executive Officer  
UTILITIES TELECOM COUNCIL

cc: Hon. Kevin J. Martin, Chairman  
Commissioner Michael J. Copps  
Commissioner Jonathan S. Adelstein  
Commissioner Deborah Taylor Tate  
Commissioner Robert M. McDowell