

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

In the Matter of)	
)	
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
)	
Service Rules for the 698-746, 747-762 and 777-792 MHz Bands)	WT Docket No. 06-150
)	
Former Nextel Communications, Inc. Upper 700 MHz Guard Band Licenses and Revisions to Part 27 of the Commission's Rules)	WT Docket No. 06-169
)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band)	PS Docket No. 06-229
)	
)	

COMMENTS OF PINELLAS COUNTY EMERGENCY COMMUNICATIONS

Pinellas County Emergency Communications (Pinellas County) hereby submits these comments in response to the Commission's *Further Notice of Proposed Rulemaking* in the above-captioned proceedings released on April 27, 2007.

Pinellas County, Florida is among the largest counties in the United States and serves a permanent population of over 925,000 in west central Florida. We are dedicated to providing state of the art communications for over 8,000 public safety personnel. Pinellas County embraces new technology and has a history of leading field tests for advanced high speed data and video communications, applying several developing technologies with various bandwidths and supporting multiple applications. Pinellas County conducted the first test of wideband technology, using an experimental license on wideband channels in the

700 MHz band and it performed well for the exchange of public safety data and video. Currently, Pinellas County is conducting tests of various broadband technologies in the 4.9 GHz public safety broadband spectrum.

Pinellas County supports the concept of a nationwide broadband network designed to meet public safety communications requirements if that nationwide network is not the only option the Commission provides. We reiterate our Reply Comments to the *Eighth Notice of Proposed Rule Making* that the Commission should not limit public safety to only one choice in this segment of the band.¹ The Commission's Further NPRM cited only two of the commenters² who urged the Commission to allow public safety entities the flexibility to deploy either wideband or broadband data solutions. However, there were numerous public safety entities, several representing a large number of agencies, which filed Comments and Reply Comments supporting such flexibility. Also, to our knowledge, no public safety associations, regional planning committees or agencies that filed Comments or Reply Comments to the *Eighth or Ninth Notices of Proposed Rule Making* objected to flexibility for public safety to have a choice of broadband or wideband solutions.

Pinellas County encourages the Commission to require certain minimum standards of any commercial licensee(s) who will participate in the adjacent CMRS spectrum auction and who commit to build out a nationwide broadband network targeted for both public safety and commercial use. We believe it is essential for these commercial licensee(s) to understand and agree to these requirements before spending millions or possibly billions of dollars in the auction. While finalization of such minimum standards will

¹ Reply Comments of Pinellas County Emergency Communications at 2, at July 3, 2006 in WT docket 96-86

² NPSTC Comments and APCO Comments at Footnote 520 in *Further Notice of Proposed Rulemaking* in the above-captioned proceedings released on April 27, 2007.

require additional input by public safety leadership and agencies to define the specifics, we propose that they include at least the following overall benchmarks:

1. When fully built out, the nationwide network should cover at least 95% of the jurisdictional area of the public safety agencies on the broadband network. This means that a city fire department must have city-wide coverage, a county sheriff must have county-wide coverage, and a state police department must have state-wide coverage that each meet the 95% requirement at a minimum specified data rate and level of reliability. Further, in order to provide mutual aid for neighboring agencies, these coverage requirements should extend into the jurisdictional areas of these neighboring agencies. Previously, the Commission recognized the need for coverage into adjacent jurisdictions when it established rules for the 800 MHz public safety band regional planning. For a broadband network to be nationwide when fully built out, coverage requirements tied to population alone are not sufficient.
2. Incident commanders and first responders need immediate access, capacity and operational control of communications resources in times of emergency incidents and disasters. We cannot wait for the national licensee or associated commercial carrier(s) to be contacted for a decision. This includes the public safety channels and, when additional capacity is required, the commercial channels which would be part of the nationwide network as well. On-scene command and control is responsible for orchestrating resources as needed to control the emergency. These resources today include local responders, assisting agencies, equipment and mission critical voice communications. Going forward, agencies and incident commanders will also need control of high speed data and video communications resources at the incident as well. To the extent commercial carriers would be required to support 911 services on this network, some provision might be made that allows one commercial channel to remain dedicated for the public to make 911 calls. Otherwise, in an

emergency, local public safety agencies should have absolute priority of any capacity in and around an incident scene.

3. Reliability and security of the high speed data communications must be assured by the commercial provider. Public safety, especially law enforcement, must have the capability to encrypt sensitive communications, including imaging and video transfers and to control who has access to this information. These requirements are of special concern for a network which is proposed to accommodate both public safety and commercial traffic. Today's dedicated public safety networks are not open to the public to use. However, as we understand it, that would not be the case under the Commission's proposed concept for a nationwide broadband network in this spectrum. Also, reliability requirements would dictate that the network must be built to provide transmission redundancy, back-up power in case of electric outages, and site as well as network security.
4. The nationwide broadband network must have provisions for high speed data applications that meet local and regional public safety needs. For nationwide broadband interoperability, public safety applications on the network must have some degree of uniformity across all public safety agencies. At the same time, applications must meet the different requirements of functional agencies (law enforcement, fire, EMS), as well as the differing requirements of agencies in varying demographics across the country. This includes interfaces with existing local networks and databases, some of which are not compatible today.

Regardless of the governance structure the Commission provides for the nationwide broadband public safety network, local and regional public safety entities must have input into the development of the requirements for such a network.

While the concept of a nationwide broadband network funded by commercial licensees in adjacent spectrum is appealing, there is yet no certainty that this proposed network would meet the operational and

monthly cost requirements of individual state and local public safety agencies. In addition, the proposed build out schedule for the broadband network is 8-10 years, and it is likely that there could be geographic areas that still would not be covered by this network.

Under the Commission's tentative conclusion, public safety agencies would have no option to deploy their own system if the promise of the nationwide network were not realized or if it were delayed in their area.

Therefore, Pinellas County believes we must be able to implement a high speed data solution while we are waiting for the nationwide broadband carrier to roll out the network to cover our jurisdictional area.

Further, we need the option to maintain that network at least until there is certainty that the nationwide broadband network as built in our area meets our specific operational requirements.

For all of the above reasons, Pinellas County recommends the Commission provide local and state agencies the flexibility on at least a portion of the public safety data spectrum to implement the solution that best meets our high speed data requirements and budget. The options must include the ability to choose a local or regional network, whether broadband or wideband, especially while we await the nationwide roll out of a commercially based broadband network. Public safety agencies can work through their regional planning committees to enable implementation of these choices on a local and regional basis.

Respectfully submitted,

Pamela J. Montanari,
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May 21, 2007