

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

In the Matter of)
)
Improving Public Safety Communications in) **WT Docket No. 02-55**
the 800 MHz Band)

**COMMENTS OF CITY OF MANASSAS
IN SUPPORT OF
PETITION OF THE COUNTY OF FAIRFAX, VIRGINIA,
FOR WAIVER OF THE PROGRAM COMPLETION DATE**

The City of Manassas submits these comments in support of the Petition of the County of Fairfax, Virginia, for Waiver of the Commission's June 26, 2008, Program Completion Date for Rebanding the County's 800 MHz Channels ("Fairfax County Petition"). The Fairfax County Petition was filed in the above-referenced docket on May 24, 2007.

BACKGROUND

The City of Manassas is authorized by the Commission under Part 90 of the Commission's Rules to operate an 800 MHz public safety voice radio network under call signs WPGX746. This system is a single-site, five-channel trunked radio system that uses five frequencies in the National Public Safety Planning Advisory Committee ("NPSPAC") portion of the 800 MHz band. Manassas must reband its systems pursuant to the Commission's Orders in this proceeding. As described more fully in the Fairfax County Petition, Manassas is one of the fourteen 800 MHz licensees in the Washington,

D.C., metropolitan area that are interoperable with each other.¹ Over the past 20 years, these 14 National Capital Region (“NCR”) licensees have built one of the most advanced public safety voice radio environments in the United States, in terms of interoperability. That interoperability will be interrupted unless the NCR licensees can coordinate the rebanding of those systems with due care and reasonable planning. Manassas has worked with Fairfax County and the other NCR jurisdictions for almost two years to determine how to reband as required by the Commission’s order in this proceeding while maintaining the interoperable communications that play a critical role in its day-to-day responsibilities to protect the public and to respond to major incidents, disasters, terrorist attacks, and other large-scale emergency response situations.

Manassas is currently planning the rebanding of its system. The typical FRA includes “retuning cooperation” language that requires the Incumbent to Petition the FCC for a waiver of the completion date if its schedule shows rebanding extending past June 2008. We therefore anticipate being asked to sign an FRA with an unachievable date and being told to petition for a waiver of that date. The only sensible course of action at this time would be to adjust the completion date for all NCR jurisdictions based on the best available information, bearing in mind that further adjustments will be necessary.

¹ These jurisdictions include Fairfax County, Virginia; Arlington County, Virginia; City of Alexandria, Virginia; Prince William County, Virginia; City of Manassas, Virginia; Fauquier County, Virginia; Loudoun County, Virginia; the District of Columbia; Montgomery County, Maryland; Frederick County, Maryland; Charles County, Maryland; Prince George’s County, Maryland; as well as the Metropolitan Washington Airports Authority, and the University of Maryland. They also include a number of independent jurisdictions that are not licensees themselves, but are subscribers on the trunked radio systems of the licensees listed above. In Manassas City, this includes one additional jurisdiction, the City of Manassas Park.

COMMENTS IN SUPPORT OF FAIRFAX COUNTY PETITION

The Fairfax County Petition asked for a waiver of the June 26, 2008, deadline for completion of reconfiguration by licensees that must reband pursuant to 47 C.F.R. § 90.677 and the Commission's Orders in this proceeding. Fairfax County asked the Commission to establish July 29, 2010, as the completion date for reconfiguration of the channels that the County is licensed to operate in the 1-120 channel range and the NPSPAC portion of the 800 MHz band.² Fairfax County petitioned only on its own behalf, but the Commission can act on its own motion and grant a waiver on behalf of all NCR jurisdictions. Fairfax County urged the Commission to do so, and Manassas joins in that request.

The City of Manassas supports the Fairfax County Petition. Moreover, Manassas agrees with Fairfax County's suggestion that the Commission should move the deadline to complete retuning operations to July 29, 2010, for all NCR jurisdictions until a more accurate date for completion can be established by creation of the Final Master Schedule. The Preliminary Master Schedule that was the basis for the Fairfax County Petition includes the rebanding activities of all 14 of the NCR jurisdictions, including Manassas City. As the Fairfax County Petition explained, that schedule is high-level in nature and does not contain all of the detailed tasks required to safely and effectively reband the 800 MHz public safety radio systems in and around the NCR. However, it is the only schedule that currently covers the coordinated rebanding of interoperable 800 MHz

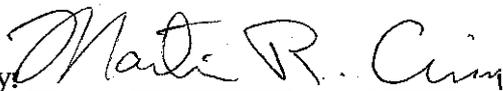
² As Fairfax County made clear, July 29, 2010, is the date by which Fairfax County currently expects it can vacate its 800 MHz 1-120 band channels. Fairfax County cannot reband its 800 MHz channels in the NPSPAC band until the 1-120 band channels are vacated. However, the County cannot accurately determine now the dates by which it can vacate its 800 MHz 1-120 band channels. Therefore, the County stated that it will have to request a waiver again once the County has more definitive information.

public safety voice radio networks in the NCR. The final Master Schedule will not be generated until after execution of a Regional Planning and Coordination Agreement between the regional coordinator and Sprint Nextel, and then the execution of a contract between the regional coordinator and Motorola, Inc. As a result, the Preliminary Master Schedule is subject to change depending on how much time is consumed by the regional negotiations, when these contracts are finalized and executed, how and when Motorola can obtain scheduling information from the other NCR licensees, or other factors completely outside the control of Fairfax County or of Manassas.³

Manassas's system operates in the NPSPAC portion of the 800 MHz band, and therefore the FCC's extension of the Completion date to July 29, 2010, may not be sufficient time to enable Manassas to complete its rebanding. However, the FCC's extension of the Completion Date for Fairfax County and for all NCR jurisdictions to July 29, 2010, will allow the NCR jurisdictions to continue the necessary regional coordination. Moreover, it will allow time for the development of the Master Schedule that will more accurately set out the rebanding schedule for the entire NCR.

Respectfully submitted,

CITY OF MANASSAS, VIRGINIA

By: 
Martin R. Crim, Deputy City Attorney

Dated: June 18, 2007

³ The Preliminary Master Schedule is based on the assumption that the contract between the regional coordinator and Motorola would be executed more than two months ago, on April 16, 2007. That contract has not yet been executed. Therefore, the dates set out in the Preliminary Master Schedule already are at risk.