

portion of the 800 MHz band for VRS operations, and 5 frequencies (WQGF948) for the Central Maryland Radio Communications (“CMARC”) system.

Anne Arundel County must reband its systems pursuant to the Commission's Orders in this proceeding. As described more fully in the Fairfax County Petition, Anne Arundel County 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 interoperable public safety voice radio environments in the United States. That interoperability will be disrupted unless the rebanding of those systems is coordinated with due care and reasonable planning. Anne Arundel County has worked alongside 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 Anne Arundel County's day-to-day responsibilities to protect the public and to respond to major incidents, disasters, terrorist attacks, and other large-scale emergency response situations.

Anne Arundel County is currently planning the rebanding of its system. The FRA is under review.

COMMENTS IN SUPPORT OF FAIRFAX COUNTY PETITION

¹These 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 Anne Arundel County, this includes Annapolis Police Department, Anne Arundel Board of Education, Anne Arundel Community College, & BWI Fire & Rescue.

The Fairfax County Petition sought 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 it observed that the Commission can act on its own motion and grant a waiver on behalf of all NCR jurisdictions, and Fairfax County urged the Commission to do so.

Anne Arundel County supports the Fairfax County Petition. Moreover, Anne Arundel County agrees with Fairfax County's suggestion that the Commission should grant all NCR jurisdictions until July 29, 2010, to complete their returning activities. 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 Anne Arundel County. 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

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.

coordinated rebanding of interoperable 800 MHz 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 Anne Arundel County.³

Anne Arundel County'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 Anne Arundel County 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,
ANNE ARUNDEL COUNTY, MARYLAND

³ The Preliminary Master Schedule is based on the assumption that the contract between the regional coordinator and Motorola would be executed more than a month 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.

By: _____
Lori L. Blair Klasmeier
Senior Assistant County Attorney
Anne Arundel County Office of Law
2660 Riva Road, 4th Floor
Annapolis, MD 21401
(410) 222-7888

James R. Hobson
Miller & Van Eaton, P.L.L.C.
1155 Connecticut Avenue N.W., Suite 1000
Washington, D.C. 20036-4320
(202) 785-0600

August 22, 2007

ITS ATTORNEYS