

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

In the Matter of:)	
)	
Service Rules for the 698-746, 747-762 and 777- 792 MHz Bands)	WT Docket No. 06-150
)	
Implementing a Nationwide, Broadband Interoperable Public Safety Network in the 700 MHz band)	PS Docket No. 06-229
)	

Brief Comments of Intel Corporation

Intel Corporation (Intel) hereby submits the following comments in response to the Further Notice of Proposed Rulemaking in the above referenced proceeding. Intel is the world's largest semiconductor manufacturer and a leader in technical innovation. Intel is also a leading manufacturer of communications and networking chips and equipment.

The Commission is faced with the difficult challenge of trying to balance public safety and emergency preparedness requirements, with market-oriented flexibility and profitability requirements. This balance must be achieved within a shared but prioritized, partitioned but adaptive, spectrum allocation. Many of the requirements bearing on this challenge are nearly diametric opposites, and splitting the difference could either put at risk the emergency preparedness component, or discourage commercial bidders from participating. Intel believes the Commission has given broad and reasoned consideration to the numerous attributes in the allocation and assignment processes, in arriving at their proposal described in the Third Further Notice¹.

The nationwide air-interface interoperability requirement for the public safety component of the shared network weighs the benefits and costs attainable via flexible license assignment. A single, flexible nationwide license would, for practical deployment reasons, assure the interoperability requirement was met. However, it would also greatly limit the field of potential bidders. Intel supports the Commission's approach of increasing the field of bidders, by allowing a flexible auction process to determine the technology for regional licenses. Intel believes the combination of nationwide and regional licenses represents a reasonable balance between auction complexity and the likelihood of aggregating sufficient regional bidders with a common technology.

¹ *Service Rules for the 698-746, 747-762 and 777- 792 MHz Bands; Implementing a Nationwide Broadband, Interoperable Public Safety Network in the 700 MHz band*, Third Further Notice of Proposed Rulemaking, 22 FCC Rcd 10609, Adopted Sept 25, 2008.

The Commission recognized over two decades ago² that while mandated technical interoperability requirements can have a chilling effect on innovations, there are special cases involving emergency preparedness and/or safety of life and property where interoperability is of paramount importance. NTIA concurred with the same special-case distinctions for public safety interoperability requirements, when they undertook a comprehensive evaluation of the use and management of spectrum in the US.³

Further, in the event of regional licensees, Intel would recommend that the Commission permit (as a matter of standard practice) greater technical flexibility for the D-block spectrum once nationwide interoperability is sufficiently established under these original rules. For example, an approach similar to the liberalization of the 800MHz cellular spectrum,⁴ where new technologies were permitted on a secondary basis, while maintaining conventional cellular operations on a primary basis.

Respectfully submitted,

/s/ David M. Horne

Intel Corporation
Technology Policy Specialist

² See: *A Re-Examination of Technical Regulations*, Report and Order, Gen. Docket No. 83-114, 99 FCC 2d 903, Adopted Nov 8, 1984,

³ See: *NTIA: US Spectrum Management Policy: Agenda for the Future*, 1991. This report resulted from a Notice of Inquiry and Request for Comments, 54 FR 50694, released Dec 8, 1989.

⁴ See: [Liberalization of Public Cellular Radio Service], Report and Order, Gen Docket 87-390, 3 FCC Rcd 7033, Adopted Oct 13, 1988.