



November 3, 2008

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

SUBJECT: FCC 08-230 regarding WT Docket 06-150 (Service Rules for the 698-746 and 777-792 MHz Bands); and PS Docket 06-229 (Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band).

Dear Ms. Dortch:

The State of California, as represented by its Department of General Services, Telecommunications Division (hereinafter "State"), offers the following comments with regard to FCC 08-230, Third Notice of Proposed Rule making.

The State remains unconvinced that "interoperability" is a significant requirement of the proposed nationwide broadband network. To the extent that such a network is constructed and/or operated by a limited number of providers, then "interoperability" will be maximized because of the fact that each provider is likely to utilize a single technology within its own network.

The more critical factor in the selection of a technology will be that the resultant network be economical to construct and operate while also providing the types of services required by the users. The State is particularly concerned that current proposals would result in a significant reduction in the geographic area of coverage provided by the proposed network(s). The lesser the degree of coverage provided, the less valuable the network becomes for wide-area users (e.g. states like California) and, of course, it is of no value to the many local and tribal entities that may be within the area of "no-coverage".

To the extent that the proposed network does not provide coverage in some geographic area, then the governmental entities within that area should be permitted to construct and operate their own data systems within that area. In constructing these systems, the local entities should be permitted to enter into "joint usage agreements" that are independent of the national licensee and should be permitted to utilize any technology that they deem most appropriate to provide the services needed in an economical manner. The reason for this is simple. The primary reason behind why the "auction winner" did not construct a broadband network in that area was because it was not economical to do so. If this is true, then the local entities desiring to construct their own system should not be constrained to using what has already been determined as being an inappropriate technology.

The State does not believe that it is reasonable to expect that the Public Safety Broadband Licensee (PSBL) will provide any sort user services. The variations as to how individual agencies want those services configured are simply too numerous. Furthermore, to expect that the PSBL will be able to provide data applications that also comply with the information security requirements that the various user-agencies may operate under, is unrealistic. The only "service" the State would recommend be provided by the PSBL is a simple message-routing service similar to that currently available on the commercial internet.

If you have any questions, please contact Mr. Gary R. Grootveld at (916) 657-9381 or via e-mail at Gary.Grootveld@dgs.ca.gov

Sincerely,

GARY R. GROOTVELD
Acting Deputy Director

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