

CITY OF
OAK RIDGE



DOCKET FILE COPY ORIGINAL

Oak Ridge Police Department
Telephone: (865) 425-4399
FAX: (865) 425-3607
Email: dbeams@corpn.org

2007 JUL 17 10 3: 22

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001
July 12, 2007

The Honorable Kevin Martin, Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Written *Ex Parte* Communication; WT Docket Nos. 06-150, 06-169, and 96-86;
PS Docket No. 06-229

Dear Chairman Martin:

I am writing to urge the Commission to take advantage of the historic opportunity before it to dramatically improve public safety communications for all first responders. If it makes the right decision and designates at least 10 MHz of commercial spectrum (known as the "E Block") for a public/private broadband partnership, the FCC can bring an end to the days when lives are lost because one agency cannot talk to another agency.

There are two major obstacles that have hampered efforts to bring about a nationwide, interoperable broadband network for public safety. First, the funds simply aren't there. Second, public safety needs more spectrum than it has to make a broadband network work. The plan proposed by Frontline Wireless solves both of these problems by providing for a buildout of the network with private capital and a doubling of spectrum available to first responders and other public safety officials when it's needed most. This network would be truly national in scope, serving 99 percent of the U.S. population, but through modern technology would allow local agencies substantial control.

We have yet to see another plan that would create the network we need to bring public safety communications into the 21st Century. One commercial incumbent even suggested that public safety's needs could be served by a network that leaves fully 25 percent of the U.S. population uncovered. That's certainly not the sort of "national" network that will make the American people safer. The stakes are too high to succumb to these and other claims that public safety's network will have to wait for another day. The time to act is now.

Thank you for your consideration of our views on this important matter.

Sincerely,

David Beams, Chief of Police

No. of Copies rec'd 011
List ABCDE

cc: Commissioner Deborah Tate
Congressman Zach Wamp



July 12, 2007

06-150
06-169
96-86
06-229

Mr. Michael J. Copps
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Commissioner Copps,

On behalf of the millions of members and supporters of our respective organizations, we are writing to express our dismay and objection to the recent proposed rule released by Federal Communication Commission (FCC) Chairman Kevin Martin concerning "open access" for wireless spectrum. While "open access" may sound good, it is, just as "net neutrality" is, a misnomer. If this rule is adopted, it will stifle innovation in telecommunications.

As you know, the Digital Television Transition and Public Safety (DTV) Act gave public safety 24 MHz of prime spectrum in the valuable 700 MHz band and \$1 billion in funding to meet public safety's needs for interoperability. The remaining 60 MHz of spectrum was to be auctioned off to reduce the deficit. Our groups have long advocated for the FCC to reject attempts by some companies, such as Cyren Call and Frontline, to grab a piece of the 700 MHz of spectrum for nothing or at below market rates. We have urged you instead, to carry out a completely open and fair auction. In addition, we have consistently opposed "net neutrality," which is a government solution to a non-existent problem.

Instead of providing real choice, "open access" will devalue the worth of the spectrum that is slated to be auctioned off because the government would tell auction winners how to manage their networks. A recent *Wall Street Journal* editorial (enclosed) pointed out that if companies that are the most prepared to efficiently utilize the spectrum cannot recoup their sizeable investments because of burdensome government regulations, they will be less likely to bid on the spectrum. This will both lower the value and prevent the most effective use of the spectrum to the detriment of American taxpayers and consumers.

No doubt some companies that cannot afford to pay the market price for the 700 MHz spectrum are looking to the government to help them and effectively lower the cost under the veil of "open access." Other companies, such as Google, can certainly afford to purchase spectrum but are choosing to use government regulators to control the marketplace and help their bottom line.

To date, thirty-five Members of Congress agree with our support of an open and fair auction rather than adopting "open-access." They said in a July 9 letter to Chairman Martin, "Any such proposal might reduce potential revenue, pose a potential risk to interoperable public safety communications, and run counter to the goals of the organized public safety community."

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Nothing prevents companies from bidding, purchasing, and offering an "open access" or "net neutrality" wireless portfolio. Consumers do not need the government to force companies to provide such services. Competition works, not government interference. Our respective organizations urge you to reject the proposed rule offered by Chairman Martin and to conduct a spectrum auction with no regulatory strings, such as "open access," attached.

Sincerely



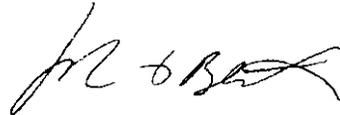
Thomas Schatz, President
Council for Citizens Against Government
Waste



Jeffrey Mazzella, President
Center for Individual Freedom



Matt Kibbe, President and CEO
FreedomWorks Foundation



John Berthoud, President
National Taxpayers Union

Encl.

cc:

Mr. Kevin J. Martin, Chairman ✓

Mr. Josh Bolten, Chief of Staff to the President

Mr. Rob Portman, Director, Office of Management and Budget



2007 JUL 17 P 3:25

2007 JUL 17 P 3:25

Reed Hundt's Spectrum Play

REVIEW & OUTLOOK

July 11, 2007; Page A14

The Federal Communications Commission has been ordered by Congress to auction off a large swath of valuable telecom spectrum licenses by the end of January. The only question is whether the auction will be open and fair, or tainted by rules that favor some potential bidders over others. It looks as if FCC Chairman Kevin Martin has opted for the latter.

The agency hasn't formally released the rules, but yesterday USA Today quoted Mr. Martin as saying that "Whoever wins this spectrum has to provide . . . [a] truly open broadband network -- one that will open the door to a lot of innovative services for customers." In other words, Mr. Martin wants to saddle the winning bidder with "net neutrality" mandates.

Mr. Martin didn't offer any proof that this "door" is currently closed, that competition in wireless broadband is lacking, or that consumers are deprived of the latest gadgets and services. And no wonder. The FCC's most recent report on wireless competition concludes that, "With respect to carrier conduct, the record indicates that competitive pressure continues to drive carriers to introduce innovative pricing plans and service offerings, and to match the pricing and service innovations introduced by rival carriers."

This should be an easy call, especially for an FCC headed by a man who claims to understand economic competition. Auctions are the most efficient way to get spectrum to market, and rigging them to play favorites defeats their purpose. But Chairman Martin is under political pressure to jerry-rig the process. An upstart telecom firm called Frontline Wireless, which is headed by former FCC Chairman Reed Hundt and backed by Google, wants the agency to place conditions on the sale.

Mr. Hundt wants the spectrum winner to be obligated to operate as a wholesale-only carrier and make its network available to rivals at regulated rates. The Frontline proposal also attaches net neutrality strings to the licenses that would ban a network operator (like Verizon) from charging a content provider (like Google) extra fees for premium service. Such requirements are poison pills intended to scare away bidders and lower the price of the spectrum. If AT&T, T-Mobile and other carriers can't earn a competitive return on their investment, they're less likely to bid.

But a rigged auction that steers spectrum away from those best prepared to use it immediately also bodes ill for consumers. It means higher prices and slower deployment of next generation services that make workers more productive and the U.S. more competitive.

Frontline says it will use the spectrum to build a nationwide wireless broadband network to compete with the likes of AT&T and Verizon. That's fine, if it is able to compete for spectrum on

the same terms as everybody else. However, Jeffrey Eisenach of Criterion Economics estimates (conservatively) that this undertaking will cost more than \$20 billion over 10 years, and he doubts Mr. Hundt's business plan can deliver on its promises. Mr. Eisenach also notes that the "FCC's history of recovering spectrum from private licensees who fail to meet build-out requirement is discouraging."

That's a reference to NextWave, the telecom firm that won spectrum licenses in a 1996 FCC auction that extended financial credits to "small-business participants." NextWave promptly defaulted on billions of dollars in loan payments but managed to keep the spectrum out of use for nearly a decade, before eventually selling the licenses to Verizon.

That debacle was the handiwork of a certain Reed Hundt, who headed the FCC under Bill Clinton and set the rules of the NextWave auction. We hope history doesn't repeat itself as political farce. If Mr. Hundt's proposal prevails and Frontline Wireless is the top bidder, don't be surprised if it moves to free itself of the license restrictions and then sell the spectrum to a major carrier for a huge profit.

In an attempt to win over Mr. Martin, however, Mr. Hundt is disguising this spectrum grab as a public safety play. He says Frontline's network will be a public-private partnership that provides wireless broadband service to police and fire departments. But Congress has already allocated spectrum for emergency services, along with \$1 billion in grants for public safety officials to build a system that's interoperable. First-responders don't need Mr. Hundt's plan.

Mr. Hundt knows how to work the Beltway and he has powerful political friends, who apparently now include Mr. Martin. But we hope someone in the Bush Administration tells Mr. Martin that the FCC's obligation isn't to carve out spectrum for special interests, but to serve the larger public by selling spectrum to the highest bidder.

Trumbull County Sheriff's Office

150 High St. NW
Warren, Ohio 44481



2007 JUL 17 10:51 AM

Telephone (330) 675-2508
Administration Fax (330) 675-7041
Detective Bureau Fax (330) 675-7012
Road Division Fax (330) 675-2507

July 9, 2007

The Honorable Kevin Martin
Commissioner
Federal Communications Commission
445 Twelfth Street S.W.
Washington, DC 20554

Re: Written *Ex Parte* Communication; WT Docket Nos. 06-150, 06-169, and 96-86; PS Docket No 06-229

Dear: Commissioner Martin,

As a law enforcement officer I am writing to urge the Commission to take advantage of the historic opportunity before it to dramatically improve public safety communications for all first responders. If it makes the right decision and designates at least 10 MHz of commercial spectrum (known as the "E Block") for a public/private broadband partnership, the FCC can bring an end to the days when lives are lost because one agency cannot talk to another agency.

There are two major obstacles that have hampered efforts to bring about a nationwide, interoperable broadband network for public safety. First, the funds simply aren't there. Second, public safety needs more spectrums than it has to make a broadband network work. The plan proposed by Frontline Wireless solves both of these problems by providing for a build out of the network with private capital and a doubling of spectrum available to first responders and other public safety officials when it's needed most. This network would be truly national in scope, serving 99 percent of the U.S. population, but through modern technology would allow local agencies substantial control.

We have yet to see another plan that would create the network we need to bring public safety communications into the 21st Century. One commercial incumbent even suggested that a network that leaves fully 25 percent of the U.S. population uncovered could serve public safety's needs. That's certainly not the sort of "national" network that will make the American people safer. The stakes are too high to succumb to these and other claims that public safety's network will have to wait for another day. The time to act is now.

Thank you for your consideration of our views on this important matter.

No. of Copies rec'd 0+1
List ABCDE

Sincerely

A handwritten signature in black ink, appearing to read "T. Altieri".

Sheriff Thomas L. Altieri

Chief Ernest G. Cook III
Chief of Operations

Sheriff Thomas L. Altieri
Trumbull County

Chief Jerald G. Bluedorn
Chief Deputy



2007 JUL 17 P 3: 22

Columbia Firefighters Association

International Association of Fire Fighters, Local 4381

PO Box 331 • Columbia, TN 38402-0331

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

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Thank you for your consideration of our views on this important matter.

Sincerely,

Local 4381 President Ty Cobb

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PALMER FIRE DISTRICT NO.1

Palmer Fire-Rescue

Chief's Office

2007 JUL 18 P 3:

RECEIVED & INSPECTED
JUL 16 2007
FCC - MAILROOM

July 11, 2007

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

06-150
06-169
96-86
06-229

Re: 700 MHz Spectrum for public safety.

Dear Chairman Martin:

I have been working in public safety as a Fire Chief in the Town of Palmer for 15 years. I also serve as Chairman of the Local Emergency Planning Committee. I have made a commitment to making my community safer for everyone. I believe that to do so requires my department to do what ever it takes to get the job done. It is critical that my Officers, Firefighters and other public safety agencies are able to communicate in an efficient and comprehensive way. That is why it important that the FCC designate at least 10 MHz of commercial spectrum for public use through a private partnership.

In order to develop this communication network, funding and a larger spectrum are essential. It is vital that a comprehensive and fair plan be developed to build out the network with private capital, which will allow the doubling of spectrum available to first responders.

This build out should allow local agencies control over the system which will make my job easier and it will save lives in the future. I hope you will give this proposal due consideration and look favorably on making the needed commercial spectrum available as soon as possible.

Sincerely,

Alan J. Roy
Chief of Department

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List ABCDE

**Fire Headquarters
12 Walnut Street
Palmer, Massachusetts 01069-1724
Telephone: 413/283-3861**

TOWN OF WARE FIRE DEPARTMENT



2007 JUL 18 P 3:17
Thomas Coulombe
Fire Chief

Daniel Danitis
Deputy Chief

1 East Main Street Ware, Massachusetts 01082
Station (413) 967-5901* Office (413) 967-9631* Fax (413) 967-9632
Email Tcoulombe@TownofWare.com Email Ddanitis@townofware.com

RECEIVED & INSPECTED
JUL 16 2007
FCC - MAILROOM

06-150
06-169
96-86

06-229

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 Twelfth Street S.W
Washington, D.C 20554

Dear Chairman Martin,

I am the Fire Chief In Ware, Massachusetts and have been for six years. I know the value of communications during emergencies and the need to interoperability in times of regional and national emergencies. Unhampered communications between first responders is essential for not only the safety of the responders but also to assure a successful outcome to the emergency. Therefore the decisions concerning assignment of available spectrum and your ability to free as much spectrum is paramount to the ability of first responders to operate safely and effectively.

The need for a national network for first responders is a great concern and the build out of a national network much be a priority so that we may serve the communities effectively. I urge you do make as much spectrum available to first responders and promote a build out of a national broadband interoperability system as soon as possible.

Sincerely,

Thomas Coulombe
Ware Fire Department
Fire Chief

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PALMER FIRE DISTRICT NO. 1

Palmer Fire-Rescue

Chief's Office

July 11, 2007

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

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Sincerely,

Alan J. Roy
Chief of Department

FILED/ACCEPTED

AUG 11 2009

Federal Communications Commission
Office of the Secretary

06-150

06-169

96-86

06-229

No. of Copies rec'd 01
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Fire Headquarters
12 Walnut Street
Palmer, Massachusetts 01069-1724
Telephone: 413/283-3861



TOWN OF WARE FIRE DEPARTMENT

Thomas Coulombe
Fire Chief

Daniel Danitis
Deputy Chief

1 East Main Street Ware, Massachusetts 01082
Station (413) 967-5901* Office (413) 967-9631* Fax (413) 967-9632
Email Tcoulombe@TownofWare.com Email Ddanitis@townofware.com

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 Twelfth Street S.W
Washington, D.C 20554

06-150
06-169
96-86
06-229

FILED/ACCEPTED
AUG 11 2009
Federal Communications Commission
Office of the Secretary

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Sincerely,

Thomas Coulombe
Ware Fire Department
Fire Chief

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AUG 11 2009

Federal Communications Commission
Office of the Secretary

2007 JUL -2 P 2:45

GOVERNOR ARNOLD SCHWARZENEGGER

June 25, 2007

The Honorable Michael Chertoff
Secretary of Homeland Security
245 Murray Lane, SW
Washington, DC 20528-0300

The Honorable Carlos M. Gutierrez
Secretary of Commerce
1401 Constitution Avenue
Washington, DC 20230

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20528

06-150
06-169
96-86
06-229

Dear Secretary Chertoff, Secretary Gutierrez and Chairman Martin,

In order to carry out their critical responsibilities, our public safety agencies must be able to communicate with each other and share information, especially during emergencies. A nationally interoperable public safety communications network is therefore a crucial element to the continued effectiveness of our first responders and to the safety and security of our citizens.

The federal government must take a leadership role in the development of this national network. I urge you to immediately convene a process that will involve states, local governments, federal agencies, first responders and the private sector in addressing the issues surrounding the design and implementation of this national network. For example, the network must ensure the capability of public safety entities to use both voice and advanced data services. It must also provide first responders in rural and urban areas with the advanced technology necessary to protect the public.

Building an interoperable network meeting these requirements will cost at least \$4 billion in California alone. An investment of this size, and for a purpose as critical as public safety, must include federal resources and be guided by sound federal policy if we are to meet the communications needs of California's, and our nation's, first responders.

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The Honorable Michael Chertoff
The Honorable Carlos M. Gutierrez
The Honorable Kevin J. Martin
June 25, 2007
Page two

One of the most pressing questions requiring federal guidance is the need for additional spectrum by public safety agencies. As the FCC moves closer to auctioning the spectrum becoming available through the migration to digital television, a unique opportunity now exists for the federal government to address how much spectrum is needed by public safety agencies. There should also be a discussion of the role spectrum allocation and the proceeds of the spectrum auction should play in financing the construction and maintenance of a nationally interoperable public safety communications network. The federal government must step forward to resolve these issues as soon as possible.

I appreciate your continuing commitment to provide our nation's first responders with the communications systems they need to protect public safety. I stand ready to work with you to address these important issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Schwarzenegger". The signature is fluid and cursive, with a prominent "A" at the start and a long, sweeping tail.

Arnold Schwarzenegger

cc: The Honorable Dianne Feinstein
The Honorable Barbara Boxer
Members of the California Congressional Delegation

JIMMY THORNTON
SHERIFF
SAMPSON COUNTY



DOCKET FILE COPY ORIGINAL
Sampson Co. Sheriff's Office
112 Fontana Street
Clinton, NC 28328

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AUG 1 1 2009

Federal Communications Commission
Office of the Secretary

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Written *Ex Parte* Communication; WT Docket Nos. 06-150, 06-169, and 96-86; PS Docket No. 06-229

Dear Chairman Martin:

As Sheriff of Sampson County, I am writing to urge the Commission to support an historic opportunity to create an interoperable communications network that will dramatically improve our nation's public safety. If you make the right decision and support the designation of at least 10 MHz of commercial spectrum (known as the "E Block") for a public/private broadband partnership, we can provide our first responders with the tools they need to save lives during emergencies.

Historically two major obstacles have hampered efforts to bring about a nationwide, interoperable broadband network for public safety. First, the funds simply aren't there. Second, public safety needs more spectrum than it has to make a broadband network work. The plan proposed by Frontline Wireless solves both of these problems by providing for a buildout of the network with private capital and a doubling of spectrum available to first responders and other public safety officials when it's needed most. This network would be truly national in scope, serving 99 percent of the U.S. population, but through modern technology would allow local agencies substantial control.

I have yet to see another plan that would create the network we need to bring public safety communications into the 21st Century. One commercial incumbent even suggested that public safety's needs could be served by a network that leaves fully 25 percent of the U.S. population uncovered. That's certainly not the sort of "national" network that will make the American people safer. Six years after 9/11 and nearly two years after Hurricane Katrina, the stakes are too high to succumb to these and other claims that public safety's network will have to wait for another day. The time to act is now.

Thank you for your consideration of our views on this important matter.

Sincerely,

Jimmy Thornton, Sheriff

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