

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

In the Matter of	)	
	)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band	)	PS Docket No. 06-229
	)	

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**REPLY COMMENTS OF MOTOROLA, INC.**

Motorola, Inc. (“Motorola”) hereby replies to The WiMAX Forum’s Comments<sup>1</sup> on the petitions for waiver filed by multiple regional and state governmental entities to deploy public safety mobile broadband systems on a local or regional basis in the 700 MHz band.<sup>2</sup> As detailed in Motorola’s initial comments, Motorola supports providing public safety first responders with the tools necessary to execute their jobs in the most efficient manner possible. Accordingly, Motorola urges the FCC to approve the waiver requests to deploy on the broadband public safety spectrum provided the planned network uses Long Term Evolution (“LTE”) technology.

While The WiMAX Forum notes that a representative from Motorola is on its Board of Directors,<sup>3</sup> Motorola wishes to make clear that it did not participate in the drafting of the WiMAX Forum’s comments in this proceeding nor does it share the conclusions and recommendations contained therein. Specifically, the WiMAX Forum claims that WiMAX

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<sup>1</sup> Comments of The WiMAX Forum, PS Docket No. 06-229 (filed Oct. 16, 2009) (“WiMAX Forum Comments”).

<sup>2</sup> Public Safety and Homeland Security Bureau Seeks Comment on Petitions for Waiver to Deploy 700 MHz Public Safety Broadband Networks, PS Docket No. 06-229, Public Notice, DA 09-1819 (rel. Aug. 14, 2009) (“Public Notice”).

<sup>3</sup> WiMAX Forum Comments at 1.

technology “is best-suited to the development of a nationwide, interoperable public safety broadband network.”<sup>4</sup> Motorola disagrees with this assessment.

As Motorola demonstrated in its initial comments, there is near unanimity among public safety agencies and associations that LTE should serve as the broadband interoperability technology in the 700 MHz band.<sup>5</sup> Indeed, the Association for Public Safety Communications Officials, the National Emergency Numbering Association, the Public Safety Spectrum Trust (“PSST”), and the National Public Safety Telecommunications Council (“NPSTC”) (representing 15 public safety organizations) have all endorsed LTE.<sup>6</sup> In addition, multiple waiver requests submitted by public safety agencies also state that they intend to use LTE in their regional network.<sup>7</sup> Thus, while the FCC may not have made a final decision on which technology is best suited for the 700 MHz band, the public safety community has and the Commission should maintain its long history of letting the market decide winners and losers in the marketplace rather than regulatory fiat. From a process standpoint, Motorola recommends that the Commission consider executing requirements for designation of LTE as the interoperable RAN technology through spectrum use agreements between waiver grantees and the PSST.

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<sup>4</sup> *Id.* at 2.

<sup>5</sup> Comments of Motorola, Inc., PS Docket No. 06-229, at 4-5 (filed Oct. 16, 2009).

<sup>6</sup> *See, e.g.*, APCO & NENA Endorse LTE as Technology Standard for the Development of Nationwide Broadband Network, APCO Press Release (June 9, 2009), available at [http://www.apco911.org/new/news/nea\\_endorse\\_lte.php](http://www.apco911.org/new/news/nea_endorse_lte.php); PSST Endorses LTE for Nationwide 700 MHz Band Network, TR Daily (July 24, 2009); NPSTC Endorses LTE as Air Interface for Nationwide 700 MHz Band Network, TR Daily (June 10, 2009).

<sup>7</sup> *See, e.g.*, City of New York Petition for Waiver, PS Docket No. 06-229 (filed June 8, 2009); District of Columbia Request for Waiver, PS Docket No. 06-229 (filed June 26, 2009); New York State Request for Waiver, PS Docket No. 06-229 (June 30, 2009); City of Chesapeake, Virginia, Request for Waiver, PS Docket No. 06-229 (Filed July 8, 2009).

While WiMAX has many fine attributes and Motorola remains fully committed to the full development of the technology, the selection of LTE as the 700 MHz public safety broadband platform makes sense from a market perspective as well as technological. As several public safety organizations have stated, LTE will be used by most, if not all, of the 700 MHz commercial broadband network operators.<sup>8</sup> Choosing to be compatible with the commercial 700 MHz providers will allow public safety to take advantage of the economies of scale generated by a large consumer market and, also, facilitate the development of shared networks that have more common network elements. Motorola believes that a variety of deployment approaches will be needed to meet the variety of operational requirements across the country's urban, suburban and rural public safety networks, including shared networks in some areas, while still enabling interoperability through a common RAN technology. Motorola therefore continues to urge the Commission to grant the instant waiver requests, and any similar requests, for use of the public safety broadband spectrum under a spectrum use agreement with the PSST provided the public safety entity proposes to use LTE technology as recommended by the PSST and NPSTC.<sup>9</sup> Such waiver grants will advance the public interest by allowing for the construction of public safety

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<sup>8</sup> See, e.g., NPSTC Expected to Pick LTE as Public-Safety Broadband Standard, COMMUNICATIONS DAILY, June 11, 2009 (“Economies of scale were a major reason for the statement that APCO and NENA put out,” explained Robert Gurss, APCO director of legal and government affairs. “It’s the ability to leverage the substantial advantages that LTE appears to have, in addition to the technological benefits of it. Those weigh very heavily and I think we need to take that into consideration our long history of being pigeon-holed into particular technologies. This is an opportunity to take advantage of a huge marketplace and to really drive the costs down.” Gurss also said adopting LTE would make a partnership to build a public-private public safety network viable. . . . McEwen [chairman of the PSST] said one advantage of LTE is that Verizon and AT&T are building systems that will work in the 700 MHz band.”).

<sup>9</sup> See Comments of The Public Safety Spectrum Trust Corporation, PS Docket No. 06-229, at 17 (filed Oct. 16, 2009); Comments of The National Public Safety Telecommunications Council, PS Docket No. 06-229, at 6 (filed Oct. 16, 2009).

broadband networks in the near term that meet both the operational needs of local and regional public safety entities, as well as the long-term goal of interoperability.

Respectfully submitted,

By: /s/ Steve B. Sharkey

Steve B. Sharkey  
Senior Director  
Regulatory and Spectrum Policy  
Motorola, Inc.  
1455 Pennsylvania Avenue, NW  
Washington, DC 20004  
TEL: 202.371.6900

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