



# NATIONAL FRATERNAL ORDER OF POLICE®

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CHUCK CANTERBURY  
NATIONAL PRESIDENT

JAMES O. PASCO, JR.  
EXECUTIVE DIRECTOR

19 February 2010

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Mr. Chairman,

I am writing on behalf of the membership of the Fraternal Order of Police to express our serious concerns with a recent plan that would essentially grant two communications corporations—AT&T and Verizon—exclusive access to the 700 MHz D Block spectrum.

The FOP and many other public safety organizations have identified the 700 MHz band spectrum as a key component of an interoperable broadband network for public safety. Unfortunately, however, AT&T and Verizon control the vast majority of the 700 MHz spectrum that can support broadband communications. The two companies' control of the 700 MHz band is so extensive that, without the introduction of a third facilities-based competitor in the D Block, public safety's only option for the types of public-private partnerships envisioned to support broadband communications will require local public safety agencies to negotiate against a duopoly of AT&T and Verizon, two of the largest, most well capitalized companies in America. In many cases, public safety officials may find themselves with only one or even no potential commercial partner at all because AT&T and Verizon may refuse to negotiate reasonable arrangements with local public safety organizations.

The Commission set aside the 700 MHz D Block for commercial use to establish a third facilities-based competitor that can partner with law enforcement and other public safety officials. This spectrum should be publicly auctioned and not used to grant two companies a virtual monopoly over public safety broadband communications.

The AT&T and Verizon plan also glosses over key details—it offers no clear path to providing the nationwide interoperable public safety broadband network or services that law enforcement needs. It envisions partitioning the public safety spectrum into fifty or more State or regional networks, which is at odds with public safety's goal to create a nationwide interoperable broadband system. And it proposes a complex and time-consuming RFP process that could drag on for years. Having individual agencies or even regional working groups negotiate separately with AT&T and Verizon to build out broadband services is a recipe for complexity, delay and bureaucratic waste.

—BUILDING ON A PROUD TRADITION—

The nation's public safety responders can only benefit from a commercial auction of the D Block frequencies because it will ensure competition, which in turn leads to lower costs, better service, more innovation and greater availability. While reallocating the spectrum for the use of law enforcement and other public safety agencies would put more spectrum in the hands of public safety officials, providing more spectrum for public safety in a closed duopoly environment is unlikely to provide public safety agencies with cost-effective access to interoperable, broadband communications across the nation.

On behalf of the more than 327, 000 members of the Fraternal Order of Police, I urge you to take these concerns seriously and to work with the FOP and other members of the public safety community to assure that our members benefit from robust competition to provide them with wireless broadband communications services.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck Canterbury". The signature is written in a cursive, flowing style with a large loop at the end of the last name.

Chuck Canterbury  
National President