

**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
)	

**REPLY COMMENTS OF
THE PUBLIC SAFETY SPECTRUM TRUST CORPORATION**

The Public Safety Spectrum Trust Corporation (“PSST”) hereby submits these Reply Comments in response to the March 17, 2010 Public Notice (“*Notice*”) of the Public Safety and Homeland Security Bureau (“Bureau”) in the above-referenced proceeding.¹ In the *Notice*, the Bureau seeks comment on the recommendations of the PSST and the National Public Safety Telecommunications Council’s (“NPSTC”) Broadband Task Force (“BBTF”) regarding local and regional 700 MHz public safety broadband deployments.² In these Reply Comments, the PSST discusses the broad support for the PSST and BBTF recommendations and responds to points raised by a few commenters regarding minimum interoperability requirements, the proposed term sheet, PSST funding, and PSST board composition.

¹ *Comment Sought on NPSTC Broadband Task Force and Public Safety Spectrum Trust Technical Recommendations for 700 MHz Public Safety Broadband Deployments*, Public Notice, DA 10-458 (rel. Mar. 17, 2010) (“*Notice*”).

² *Id.*; see also Letter from Harlin McEwen to Chairman Julius Genachowski, PS Docket No. 06-229, WT Docket No. 06-150 (Dec. 15, 2009) (“PSST December 2009 Letter”). The PSST’s Recommendations are attached to the PSST December 2009 Letter, and the BBTF Report is included as Appendix A to the PSST Recommendations.

The PSST supports the efforts of the Bureau and the Federal Communications Commission (“Commission”) to advance the deployment of mission-critical broadband services to public safety. As the 700 MHz Public Safety Broadband Licensee, the PSST’s primary goals in making its recommendations have been to ensure nationwide roaming, seamless interoperability, and priority service among users of the future 700 MHz nationwide public safety broadband network. The PSST encourages the Bureau to facilitate life-saving public safety broadband deployment and address the technical aspects of any local or regional systems deployed on the 700 MHz public safety broadband spectrum with these goals in mind.

About the PSST. The PSST is a non-profit 501(c)(3) entity organized under the laws of the District of Columbia. The PSST’s mission is to provide an organizational structure through which leaders and representatives of national public safety organizations can guide the construction and operation of a nationwide, interoperable, public safety-grade wireless broadband network. The Board of Directors of the PSST consists of representatives of the following organizations:

1. American Association of State Highway and Transportation Officials (AASHTO)
2. American Hospital Association (AHA)
3. Association of Public-Safety Communications Officials - International (APCO)
4. Forestry Conservation Communications Association (FCCA)
5. International Association of Chiefs of Police (IACP)
6. International Association of Fire Chiefs (IAFC)
7. International City/County Management Association (ICMA)
8. International Municipal Signal Association (IMSA)
9. National Association of State EMS Officials (NASEMSO)
10. National Association of State 9-1-1 Administrators (NASNA)
11. National Emergency Management Association (NEMA)
12. National Emergency Number Association (NENA)
13. National Fraternal Order of Police (NFOP)
14. National Governors Association (NGA)
15. National Sheriffs’ Association (NSA)

PSST and BBTF Recommendations. The PSST continues to support the development and deployment of a nationwide, interoperable, wireless broadband network for public safety in the 700 MHz band. The PSST also continues to support local and regional 700 MHz public safety broadband deployments before the construction of the nationwide network. These systems present an opportunity to gain information, practical experience, and infrastructure that can be leveraged for the nationwide network. All such deployments, however, must be consistent with the principal goals of a nationwide network and provide for nationwide roaming, seamless interoperability, and priority service. The Bureau should grant the early buildout waiver requests filed by local, state, and regional public safety representatives with these principal goals in mind.

The PSST believes that the BBTF Report's minimum interoperability requirements – as modified in some cases by the PSST's recommendations – are necessary to ensure long-term seamless interoperability among early public safety builders and the future public safety 700 MHz broadband network. Other commenters, including state and regional public safety representatives, generally support the BBTF and PSST recommendations.³ In addition, equipment manufacturers, a public safety service provider, and a trade association representing the global information and communications technology industry also expressed support for the BBTF and PSST recommendations.⁴

³ See generally Comments of the State of New Mexico, WT Docket No. 06-150, PS Docket No. 06-229 (filed Apr. 6, 2010); Comments of Los Angeles Regional Interoperable Communications System, WT Docket No. 06-150, PS Docket No. 06-229 (filed Apr. 6, 2010) (“LA-RICS Comments”); Comments of San Francisco Bay Area Region, WT Docket No. 06-150, PS Docket No. 06-229 (filed Apr. 6, 2010) (“Bay Area Region Comments”).

⁴ See generally Comments of Motorola, Inc., WT Docket No. 06-150, PS Docket No. 06-229 (filed Apr. 6, 2010) (“Motorola Comments”); Comments of Harris Corporation, WT Docket No. 06-150, PS Docket No. 06-229 (filed Apr. 6, 2010); Comments of IP Wireless, Inc., WT Docket No. 06-150, PS Docket No. 06-229 (filed Apr. 6, 2010); Comments of the Telecommunications Industry Association (“TIA”), WT Docket No. 06-150, PS Docket No. 06-229 (filed Apr. 6, 2010) (“TIA Comments”).

Roaming. As mentioned in the PSST's Recommendations, measures must be taken to ensure interoperability among local/regional public safety systems and the nationwide network not only upon the initial deployment and operation of the nationwide network, but also on an ongoing basis in the future.⁵ In addition, the local or regional networks will also need to provide for nationwide roaming to ensure that public safety entities can access broadband video and data across jurisdictions during emergencies. With nationwide roaming, public safety entities can access robust data and video applications across jurisdictions during emergencies without swapping out equipment, which reduces equipment costs, saves precious time during critical activities, and enhances response capabilities by facilitating public safety support from neighboring jurisdictions. Roaming capabilities can also help increase the coverage area, resiliency, capacity and redundancy of the public safety broadband network.

Therefore, the Bureau should require that all early public safety builders incorporate full roaming functionality as developed in cooperation with and in coordination with the PSST. Any locally built, stand-alone public safety wireless broadband systems should be designed to allow local users to roam nationally when outside the local network. In addition, such systems must be designed to allow other (*i.e.*, non-local) users of the nationwide, interoperable wireless broadband network to roam onto the system when in the local network area.

Minimum Interoperability Requirements. Early builder waiver applicants should be required to comply with the minimum interoperability requirements to the extent it is technically feasible for them to do so. The PSST understands that requiring certain features to be operational immediately upon system launch (*e.g.*, SMS-MMS messaging and text messaging; LMR gateways) could increase system costs significantly and create substantial deployment

⁵ The PSST recognizes that some degree of technology neutrality may be consistent with the goal of seamless interoperability, as proposed by TIA. TIA Comments at 3.

delays. Thus, it may be sufficient at initial system launch for the early builder waiver applicants to comply with a subset of the key interoperability requirements⁶ as long as the Bureau provides a timeline for compliance with the full set of minimum interoperability requirements. In any event, all waiver relief should be conditioned on compliance with any additional or subsequent requirements developed by the Commission or the Emergency Response Interoperability Center (“ERIC”) (as well as the PSST’s implementation of those requirements), which may require early builders to retrofit their systems if necessary. The waiver grants should also authorize operation only on the spectrum covered by the public safety broadband license, not on the 700 MHz public safety narrowband frequencies, to avoid interference to existing public safety narrowband operations.⁷

Proposed Term Sheet. The BBTF Report includes a proposed term sheet for an agreement between a local/regional public safety operator and the PSST.⁸ After reviewing the BBTF proposal carefully, the PSST modified the proposed term sheet as needed to ensure nationwide interoperability and reflect the PSST’s ongoing role and responsibilities, including its obligations as an FCC licensee⁹ (contrary to suggestions from one commenter that the PSST attempted to retain “too much discretion”¹⁰). The FCC should support these revisions and provide the PSST with sufficient flexibility to address local or regional issues specific to individual early builders, including through customized spectrum leases. It should also ensure that the PSST has adequate authority to ensure that early builders using the public safety

⁶ See, e.g., LA-RICS Comments at 2-6; Motorola Comments at 2-4.

⁷ See Motorola Comments at 2.

⁸ See BBTF Report, Appendix C.

⁹ See PSST Recommendations at 6.

¹⁰ See Comments of the District of Columbia, WT Docket No. 06-150, PS Docket No. 06-229 (filed Apr. 6, 2010).

broadband spectrum licensed to the PSST are operating in compliance with the Commission's rules and the terms of any spectrum lease.

PSST Funding and Board Composition. The PSST agrees with the San Francisco Bay Area Region and Motorola that a funding mechanism is needed to support the PSST's ongoing role in public safety broadband deployment.¹¹ In addition, the PSST should be authorized to receive nominal administrative fees from local operators for its management and coordination efforts related to early public safety buildout until such time as long-term funding becomes available to the PSST to pay for these services.¹² The early public safety builders and their individual public safety users benefit from the PSST's past, current, and future efforts regarding coordinated early buildout and the development of the nationwide public safety broadband network, and they should contribute modest funding to cover an appropriate portion of the expenses incurred by the PSST for those activities.¹³ Because the PSST is a non-profit corporation, these costs would be limited to legitimate expenses incurred to support the activities of the PSST in coordinating early buildout and managing the nationwide network.¹⁴ The PSST understands that local or state governments cannot sign up for unknown costs, and it supports a mechanism for the PSST and waiver grantees to negotiate their respective portion of the expenses up front in the spectrum lease agreements.¹⁵

Finally, the PSST does not object to the Bay Area Region's request that the PSST Board be expanded to include representatives from the Major County Sheriffs' Association, the

¹¹ See Motorola Comments at 5; Bay Area Region Comments at 4.

¹² See, e.g., Bay Area Region Comments at 4; see also PSST Recommendations at 3.

¹³ See, e.g., Comments of the Public Safety Spectrum Trust, PS Docket No. 06-229, 11 (filed Oct. 16, 2009).

¹⁴ *Id.*

¹⁵ *Id.*

Metropolitan Fire Chiefs Association, and the Major Cities Chiefs Association.¹⁶ The Commission set forth detailed requirements for the PSST Board composition in the *700 MHz Second Report and Order*¹⁷ and has modified those requirements once since the issuance of that Report and Order to serve the public interest.¹⁸ It could do so again here to ensure that the PSST Board continues to include broad representation and provide a balance of the various public safety interests.¹⁹

Respectfully submitted,



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¹⁶ See Bay Area Region Comments at 4.

¹⁷ *Service Rules for the 678-746, 747-767 and 777-792 MHz Bands*, Second Report and Order, 22 FCC Rcd 15289 ¶ 374 (2007) (“*700 MHz Second Report and Order*”).

¹⁸ See, e.g., *Service Rules for the 678-746, 747-767 and 777-792 MHz Bands*, Order on Reconsideration, 22 FCC Rcd 17935 (2007).

¹⁹ *700 MHz Second Report and Order* ¶ 374.