

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

In the Matter of:)	
)	
)	
Increasing Public Safety Interoperability by)	PS Docket No. 10-168
Promoting Competition for Public Safety)	
Communications Technologies)	

REPLY COMMENTS OF AT&T INC.

AT&T Inc., on behalf of AT&T Mobility LLC and its wholly-owned and controlled wireless affiliates (collectively, “AT&T”), hereby submits its reply comments in the above referenced docket.

DISCUSSION

On August 19, 2010, the Commission released a Public Notice¹ in this docket seeking comment on various issues pertaining to competition for public safety communications equipment and technologies. AT&T supports commenters’ statements that public safety devices operating in the 700 MHz band should be backwards compatible with commercial 3G networks. This will facilitate true interoperability of public safety with minimal gaps in coverage. However, AT&T disagrees with certain commenters that the Commission should mandate interoperability for operations throughout the 700 MHz band. Mandating such interoperability will harm public safety by introducing the potential for interference in emergency communications that is otherwise not present.

¹ Public Notice, Increasing Public Safety Interoperability by Promoting Competition for Public Safety Communications Technologies, PS Docket No. 10-168 (Aug. 19, 2010).

A. Public Safety Devices Should be Backward Compatible with Legacy 3G Commercial Networks.

Public safety organizations accurately observe that public safety devices must operate ubiquitously without regard to the deployment of Long Term Evolution (“LTE”) air interface networks. The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) and the National Emergency Number Association (“NENA”) emphasize the need for public safety devices operating in the 700 MHz band to be backward compatible with legacy 3G commercial networks.² AT&T agrees that public safety devices cannot be truly interoperable unless they support legacy 2G/3G networks. It will take many years for LTE coverage to match the commercial 2G/3G footprint that has developed over decades. Single band devices would limit interoperability to individual islands of public safety networks, and also could lead to potentially higher costs. The Commission should adopt policies that promote backward compatibility and defer from prescriptive regulations that would discourage manufacturers from developing backward compatible devices.

B. Mandated Interoperability Across the 700 MHz Band Would be Detrimental to Public Safety Coverage and Communications.

Some commenters advocate prescriptive regulations that mandate that all 700 MHz capable two-way devices support operations in all Lower and Upper 700 MHz Bands.³ This

² Comments of APCO, PS Docket No. 10-168, at 5-6 (filed Sept. 20, 2010) (“[T]he Commission should take steps to ensure that devices in the public safety portion of the 700 MHz band are backwards compatible with commercial 3G networks.”); Comments of NENA, PS Docket No. 10-168, at 1-2 (filed Sept. 20, 2010) (“Where LTE deployment ends, public safety will need to insure that its devices work everywhere, and that can happen only if those devices operate not only on the public safety LTE network, but also on fallback legacy networks (HSPAEDGE/ EVDO-1XRTT; 850 MHz/1900 MHz/2100 MHz).”)

³ Comments of Cellular South, Inc., PS Docket No. 10-168, at 3-4 (filed Sept. 20, 2010); Coalition for 4G in America, PS Docket No. 10-168, at 7 (filed Sept. 20, 2010); Comments of United States Cellular Corporation, PS Docket No. 10-168, at 3-4 (filed Sept. 20, 2010).

issue is currently pending before the Commission in another proceeding and the Commission should rely on the detailed record in that proceeding on this issue.⁴ In that proceeding, a few 700 MHz A-block licensees ask the Commission to ignore the LTE device standards that the 3rd Generation Partnership Project (“3GPP”) adopted based upon technical considerations surrounding anticipated operations within each 700 MHz block, and instead mandate that all 700 MHz capable devices support every 700 MHz block.

As AT&T explained in the A-Block Equipment Proceeding,⁵ the Commission should ignore this unprecedented request to interfere with the technology decisions of standards making organizations and wireless carriers. The LTE device standards adopted by 3GPP did not require interoperability in all 700 MHz bands due to very real concerns about interference caused by the proximity of the 700 MHz A-block spectrum pairs to Channel 51 TV broadcast transmissions on the one hand, and to high power broadcast transmissions in the unpaired 700 MHz D-block and E-block on the other. These interference concerns are no less real for public safety users. Moreover, the proposals to mandate interoperability throughout the 700 MHz band would also cause public interest harms to everyday consumers, as devices would increase in cost and size to accommodate the additional components needed to operate in all 700 MHz bands.

Cellular South, Inc. goes so far as to claim that interoperability throughout the 700 MHz band would generate “greater geographic and inter-network roaming ability.”⁶ Nothing could be further from the truth. As discussed above, greater geographic and inter-network roaming will

⁴ See *700 MHz Band Mobile Equipment Design and Procurement Practices*, RM No. 11592 (“A-Block Equipment Proceeding”).

⁵ See Comments of AT&T Inc., RM No. 11592 (filed March 31, 2010); Reply Comments of AT&T Inc., RM No. 11592 (filed April 30, 2010); Ex Parte Letter from Joseph P. Marx, Assistant Vice President-Federal Regulatory, AT&T, to Marlene H. Dortch, Secretary, Federal Communications Commission (June 3, 2010).

⁶ CellSouth Comments at 4.

be facilitated by insuring that public safety devices are backward compatible with legacy commercial networks. Cellular South's proposal would preclude such backward compatibility and unreasonably limit the ability of a single device to support public safety roaming nationwide. Qualcomm has explained that its most state-of-the-art chipsets support only two frequency bands for 3G/4G technologies in the lower frequencies (and in the upper frequencies).⁷ With this chipset, public safety devices can support Band 14 (the Upper D block and the public safety broadband allocation) and a band supported by legacy commercial network. Mandating interoperability across all 700 MHz bands would require public safety devices to support a Lower 700 MHz band rather than frequencies supported by legacy commercial networks, which will effectively preclude public safety from roaming on legacy cellular networks where 700 MHz LTE coverage is unavailable. Even if it were technically feasible to incorporate all of the 700 MHz and legacy commercial bands into a single device, it would require trade-offs, which include less functionality, a larger/less desirable form factor, shorter battery life, and/or greater costs.

However, these trade-offs are not necessary. The public safety community does not desire devices that operate throughout all 700 MHz blocks. The National Public-Safety Telecommunications Council ("NPSTC") recommends that public safety devices support only Band 14 and that support for all other 700 MHz blocks is merely optional.⁸ In light of the substantial trade-offs that such a mandate would entail, the Commission need not chose that option.

⁷ 3GPP adopted the following bands for 700 MHz LTE devices, each supporting different combinations of 700 MHz blocks—12 (Lower A, B, and C blocks), 13 (Upper C block), 14 (Upper D block and public safety broadband allocation), and 17 (Lower B and C blocks).

⁸ NPSTC, *700 MHz Public Safety Broadband Task Force Report and Recommendations*, pp. 19-20 (Sept. 4, 2009).

The Commission has historically recognized the need to allow the marketplace and the technical experts to establish device capabilities. In particular, the Commission has repeatedly emphasized a flexible use approach to 700 MHz services and technologies. This is not surprising. The Commission recognizes that the marketplace best determines the pace of technological change and the features and services that are offered by carriers and the manner in which they are offered. Attempts to regulate technology inevitably result in obsolete rules that freeze innovation and discourage investment. It would also frustrate the goal of the National Broadband Plan to encourage the rapid deployment of mobile broadband services.

Respectfully submitted,

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