Oregon
Theodore R. Kulongoski, Governor

Department of Transportation
Oregon Wireless Interoperability Network
3210 Del Webb Ave NE Ste 110
Salem, OR 97301-0364

November 29, 2010

Federal Communications Commission
Office of the Secretary
Attn: Marlene H. Dortch, Secretary
445 12th Street, W
Washington, DC 20554

RE: DA 10-1877, PS Docket No. 06-229

Dear Ms. Dortch,

In 2005, the 73rd Oregon Legislative Assembly passed House Bill 2101, *To develop, finance, maintain and operate a single emergency response wireless communications infrastructure that supports both the communications needs of all state agencies and ensures communications interoperability among all state, local, tribal and federal public safety agencies, thereby maximizing shared use of this invaluable public asset.* The entity formed to accomplish this is the Oregon Wireless Interoperability Network (OWIN). The OWIN organization has been active since then in site acquisition, radio frequency engineering, and the purchase and installation of a statewide microwave system to support a land mobile radio system. We have recently completed the process of selecting an LMR vendor to build a statewide 700 MHz trunked system-of-systems. OWIN has, with legislative approval, identified the funding necessary to accomplish this project within the next three years. The spectrum necessary for this system will require the use of both the 700 MHz state use and general use narrowband spectrum. The Region 35 700 MHz Plan is FCC approved and is the basis of our extensive planning effort in preparation for the installation of the LMR equipment. Access to sufficient narrowband spectrum is and will continue to be of critical importance to the State of Oregon's public safety interests and to the success of the OWIN project.

In addition to the OWIN Project, the Oregon Public Safety Broadband Network (OPSBN) is considered a complimentary project. The genesis for the development of OPSBN is the 700MHz wavier the state received from the FCC and the lease for use of the spectrum through the Public Safety Spectrum Trust (PSST). Major momentum to date is a result of the BTOP grant application process. Currently the Oregon Public Safety Broadband Network is looking at several options for the deployment of a public safety LTE wireless communications system.

The Oregon Wireless Interoperability Network believes that the demand for broadband spectrum should in no way affect the 700 MHz narrowband allocations. Allowing broadband to operate among digital voice technologies will not only increase interference but unnecessarily waste spectrum by requiring buffer zones around areas where broadband has been implemented. The eventual migration of public safety communications from narrowband voice to a broadband network is presently conceptual and not likely to occur within the near future. Today's broadband technologies cannot accommodate mission critical push-to-talk and talk-around features. Therefore, the need for narrowband spectrum will not be alleviated by a broadband network. Subscriber units must be able to communicate with each other without the aid of a network. This continues to be a necessary requirement of public safety communications. The mere suggestion of enabling the flexible use of the 700 MHz public safety

narrowband allocation for broadband services can raise uncertainties about the future of this band that could stifle the long term strategic planning of public safety entities. Narrowband systems are and will continue to be a major means of public safety communication and must be free of spectral congestion and interference. Mission critical voice spectrum must be provided and protected.

The Region 35 700 MHz Plan was approved by the FCC on August 25, 2010 after many months of endeavor by numerous concerned volunteers. The flexible use of the 700 MHz narrowband spectrum will require the work of the Oregon committee along with every other Regional Planning Committee in the United States to be re-done. Countless hours of time, effort and money will have been wasted. Oregon is facing budget deficits at this time and is seeking ways to economize and use the resources presently available rather than expend resources in re-working past efforts.

The Oregon Wireless Interoperability Network realizes the enormous need for both narrowband voice and broadband data to better equip the public safety community in serving the people of this great nation. Nevertheless, we believe that those interests are best served by not allowing the flexible use of the spectrum already allocated and designed for 700 MHz narrowband operations. Our comments are submitted with respect and gratitude to you and the FCC for your public service to Oregon, its people, and the broader community extending beyond our borders.

Sincerely,

John W. McCaslin
Oregon Wireless Interoperability Network
Spectrum Design