

**Before the
Federal Communication Commission
Washington D.C. 20554**

In the Matter of	§	PS Docket #06-229
	§	
Petition by the State of Texas	§	
For Waiver of the Commission's	§	
Rules to Allow Establishment of a	§	
700 MHz Interoperable Mobile	§	
Public Safety Broadband Network	§	

PETITION FOR EXPEDITION

The Texas Department of Public Safety on behalf of the State of Texas, hereinafter referred to as "Petitioner," submits this Petition for Expedition relating to a previously filed petition for waiver in this cause. On September 15, 2010, the State of Texas requested a Federal Communications Commission (FCC) waiver in Petition for Expedited Waiver, allowing early deployment of an interoperable mobile public safety broadband network in the 700 MHz broadband spectrum (763-768 MHz and 793-798 MHz) within the boundaries of the State of Texas. Since that date, Harris County, Texas was awarded federal grant funding to immediately begin construction of a public safety LTE network layer in Harris County, Texas. The performance requirements of this \$10 million dollar grant necessitate that all documentation be submitted before July 31, 2011. Therefore, Harris County must expend and/or encumber all funds before June 30, 2011, thus requiring the 700 MHz public safety broadband spectrum waiver being sought by Petitioner. It is the intent of Petitioner and Harris County to execute an inter-government agreement to permit Harris County to operate on the said 700 MHz frequencies under the requested waiver submitted by Petitioner, if waiver is granted by the FCC.

The State of Texas herein has critical need for use of the 700 MHz broadband spectrum, as Harris County and other public safety agencies in Harris County will utilize the planned early-deployment LTE system layer to enhance the capabilities of the Port Information Network. This LTE component will allow Harris County to provide critically needed situational awareness gathered from cameras and sensors, and other data, to mobile public safety personnel by way of the requested broadband 700 MHz spectrum. The Port of Houston is a 25-mile-long complex of diversified public and private facilities, and is a significant part of a DHS designated Tier 1 Urban Area Security Initiative (UASI) zone. The port is ranked first in the United States in foreign waterborne tonnage (for 14 consecutive years); first in U.S. imports (for 19 consecutive years); second in U.S. export tonnage and second in the U.S. in total tonnage (for 19 consecutive years).

The Port of Houston is composed of the Port of Houston Authority and the 150-plus private industrial companies along the Houston Ship Channel. More than 220 million tons of cargo moved through the Port of Houston in 2009, and more than 7,700 vessel calls were recorded at the Port of Houston that same year.

The Harris County Commissioners' Court, in conjunction with Texas House Bill 3011 from the 80th regular session of the Texas Legislature, established the Houston Ship Channel Security District as a public-private partnership with the goal of improving security and safety of waterside, landside, and supply chain facilities. Harris County maintains the sensory infrastructure and is responsible for the law enforcement support for the Houston Ship Channel Security District.

The Port of Houston and Harris County previously expended grant dollars to provide critically needed situational awareness in the form of surveillance video and lower-bandwidth applications such as CBRNE (Chemical, Biological, Radiological, Nuclear, and Explosive) sensors, and fiber backhaul to send this data back to various Public Safety Command and Control centers and the U.S. Coast Guard for monitoring. LTE is the final piece that will allow the video and data to be broadcast to mobile public safety personnel to enable more rapid responses and better situational awareness to protect lives and minimize or eliminate damage to critical infrastructure.

For the reasons stated above and the reasons stated in the previously filed Petition for Expedited Waiver previously filed in this cause, Petitioner respectfully requests immediate FCC action to grant the Petitioner's waiver request dated September 15, 2010.

Respectfully submitted,


Mike Simpson

Michael Simpson
For the State of Texas
Statewide Communications Interoperability Coordinator (SWIC)
Texas Department of Public Safety Assistant Director, Law Enforcement Support

February 15, 2011
Date