



Peace Officers Research Association *of California*

March 18, 2011

Via ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WT Docket 06-150, PS Docket 06-229, and RM-11592

Dear Ms. Dortch,

On March 17, 2011 President Ron Cottingham, Vice President Mike Durant, and Executive Board Member Buddy Magor of the Peace Officers Research Association of California (PORAC) met with Public Safety and Homeland Security Bureau (PSHSB) Deputy Chief Jennifer Manner, Gene Fullano, Brian Hurley, and Erika Olsen of the Federal Communications Commission (FCC) to discuss PORAC and the Commission's perspectives on the potential allocation of the D block spectrum to public safety and on other communications interoperability issues. Andrea Wolf of Patton Boggs LLP also attended the meeting as PORAC's counsel.

Though the FCC did not comment on the current legislative proposals to allocate the D Block to public safety, Ms. Manner began the meeting by stating that she is pleased that current legislation (S. 28 and H.R. 607) recommends a funding approach based on the FCC's cost models. According to those models, the FCC's plan estimates there will be about \$6.5 billion in CAPEX costs and \$6-\$8 billion in OPEX costs over ten years, Ms. Manner noted. She added that these cost estimates assume that public safety entities will have to operate two networks for a period of time until those entities can shift entirely to the broadband network.

Even though the FCC's cost models have guided the Commission's recommendations as well as proposed legislation, they do not address interoperability issues of the public safety network, said Ms. Manner. To deal with interoperability issues of the public safety network, the FCC is seeking comment (due in May) on the first order of interoperability rules. Ms. Manner noted the FCC's goal with this notice of proposed rulemaking (NPRM) is to achieve interoperability across broadband and LMR. The FCC is expected to issue another order on interoperability rules during the summer of 2011.

Ms. Manner explained that interoperability is not a capacity issue but, rather, an issue of technical requirements. Namely, interoperability depends on consistent standards across the nation with devices and chip-sets that are compatible within different bands.

Ron Cottingham from PORAC also asked about the ability of a potential public safety network to withstand a national disaster. Ms. Manner explained that, following Hurricane Katrina, the FCC began exploring more effective sources of backup power and increased network reliability. This ongoing investigation is a companion to the network preparedness efforts being put forth by the FCC. Ms. Manner explained that the FCC's attempts to address outage reporting for broadband providers will assist with the public safety network's reliability.

Ms. Manner also briefed PORAC on the Commission's first public safety advisory committee meeting, which occurred on March 15, 2011. According to Ms. Manner, this committee was established to focus exclusively on public safety issues, including both communications advancements and remaining obstacles.

Ms. Manner explained that currently 24 MHz of the 700 MHz is already allocated to public safety. Of that 24 MHz, 12 MHz is narrowband, 10 MHz is broadband, and 2 MHz is guardband. According to Ms.

Manner, a public safety broadband network could be achieved using the already-allocated 10 MHz (PSBB) by allowing public safety entities to have roaming and priority access rights to commercial networks. There has been some initial deployment of the 12 MHz of narrowband for public safety entities; however that deployment is very preliminary.

Ms. Manner explained that every model run by the FCC so far has shown no usage to capacity on the 10 MHz broadband network. However, given the inexact nature of modeling, the FCC could not guarantee that the already-allocated 10 MHz would always have sufficient capacity. Thus, roaming and priority access rights to other bands could prove critical in a large disaster situation.

Another key aspect of the discussion revolved around compatible and affordable equipment. Ms. Manner explained that having a commercial operator of the network could significantly reduce equipment costs. Sharing commercial bands and using interoperable chip sets could significantly reduce equipment costs.

Ms. Manner said that the FCC will investigate whether the current broadband licensee model for the public safety network is the most effective. She also indicated that secondary access remains an open issue at the FCC.

This ex parte notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's Rules.

Sincerely,

A handwritten signature in black ink that reads "Ron Cottingham". The signature is written in a cursive, flowing style.

Ron Cottingham
President, PORAC

cc: Jennifer Manner