

I. BACKGROUND

Currently, Arkansas DIS operates a state of the art, statewide public safety narrowband communications network in the State of Arkansas. Over 500 public safety agencies have joined the AWIN network to date. The AWIN network is a Project 25 standard compliant mission critical narrowband voice and low speed data system, with approximate current coverage of over 93 percent of the State population, using 74 transmitter sites.

The system currently supports approximately 17,000 mobile and portable radios on the network, operating on 87 narrowband 12.5 kHz State channels in the 700 MHz public safety band, split about evenly between State and local personnel. At completion, AWIN is targeted to have 90 - 100 transmitter sites, with approximately 20,000 mobile and portable radios and 750 agencies that will operate on the network. The State of Arkansas has made a significant investment in this mission critical voice network using the newly available 700 MHz band and emphasize that this network is the cornerstone of our statewide interoperability plan.

The AWIN network serves as a model of interoperability while at the same time is designed to meet public safety operability requirements for mission critical voice and low speed data communications. Given the availability of new broadband 4th generation (4G) Long Term Evolution (LTE) technology, the State would like to supplement the voice capabilities with high speed data and video applications. These applications cannot be accomplished on current narrowband channels and require the availability of broadband spectrum.

During incidents involving first responders from multiple agencies and jurisdictions, there is a critical need for personnel to communicate with each other. Prior

to the implementation of the AWIN system in Arkansas, various layers of interoperability included sharing radios, sharing electronic keys, and patching radio communications through various means. While workable, these approaches were all less than optimum. Therefore, resolving interoperability issues was a key priority of the State of Arkansas Department of Information Services, in coordination with local jurisdictions, when it embarked on deployment of the AWIN voice and low speed data network.

Since its inception in May of 2005 AWIN has significantly improved interoperability in the state, from both a voice radio solution and a governance standpoint. The AWIN governance structure has successfully broken down a number of barriers that historically hampered interoperability. Under the current governance structure applied to AWIN, users from multiple public safety state, local and Federal agencies have the capability to communicate with one another as needed and as authorized.

In addition to the technical capabilities, sharing the AWIN system has enabled jurisdictions and departments to collaborate on planning for disaster responses and to conduct practice drills and scenarios before actual disasters occur. This planning and practice is essential to improve communications interoperability and a more effective response when an actual natural disaster or major event does occur. This has significantly improved communications for prevention and response activities.

The benefit of collaboration was illustrated first in the fall of 2006 when a four-year old autistic child wandered away from home and disappeared into a densely forested area of northwest Arkansas. Search and rescue teams from multiple counties responded to the emergency and used AWIN to coordinate the wide-area search with hundreds of first responders. The effective utilization of AWIN and the state's mutual aid plan resulted in

the rapid rescue of the missing child.

On April 02, 2008, a firefighter, outside of his jurisdiction, came upon an emergency in progress. An elderly couple traveling in a pickup truck skidded off the road into deep flood waters from the nearby White River. The firefighter grabbed his AWIN radio and called for assistance from the White County Sheriff's Office and the Searcy Fire Department's swift water rescue team. The water rescue team pulled the elderly couple through the flood waters to safety, thanks to an emergency response that was managed quickly and effectively through AWIN.

On June 11, 2010, a devastating flood struck a national park campground in Pike and Montgomery counties. First responders from all over Arkansas, as well as neighboring states converged on the site to assist with search and rescue. AWIN was used to provide command and control level communications that enabled the search and rescue teams to perform their duties without being hampered by organizational boundaries.

Grant of the requested waiver will leverage the established AWIN governance structure already in place and will help expand public safety communications capabilities beyond voice and low speed data also to include broadband capabilities such as high speed data and video. The resulting broadband system will be designed to be fully interoperable, consistent with conditions as recommended by the public safety community and ultimately required by the Commission.

Expeditious grant of this waiver to allow for deployment in the 763-768/793-798 MHz band under an agreement with the Public Safety Spectrum Trust (PSST) which holds the nationwide license for this spectrum, is in the public interest and will lead to deployment of critical broadband public safety communications for the state.

The State of Arkansas has a permanent population of approximately 2.5 million

people and covers almost 53179 square miles. The state also hosts a number of tourist attractions and events, including the Ozark Mountains, Hot Springs National Park, and numerous sportsman tournaments throughout the year. These attractions and events draw approximately ____ tourists each year, in addition to the permanent population noted above.

Arkansas is also home to expansive warehouse facilities of major nationwide retailers like Wal-Mart, Dillard's, and J.B. Hunt, as well as several military bases, a nuclear power plant, and a major hazardous chemical disposal facility. It is essential that the State and its local jurisdictions have the best communications possible to ensure the safety of our residents, tourists, businesses, and military personnel, as well as the overall homeland security in our territory.

Arkansas is subjected to natural disasters. The State has experienced major tornadoes. The combination of a mountain range and adjacent low plains topography can cause major flooding. The Albert Pike event described above illustrates how quickly a disaster can occur in the state. During this event 20 were killed and the search, rescue, and recovery activities lasted 10 days. Most recently a New Year's Eve tornado in the Northwest Arkansas city of Cincinnati claimed the lives of four and hospitalized dozens.

Arkansas also experiences severe ice storms from time to time which can bring transportation to a standstill and disrupt the distribution of electric power. Finally, Arkansas is one of a handful of states that lie on the New Madrid Fault Line and is therefore potentially subject to significant earthquake threat.

All of these natural disasters increase the need for effective public safety communications and information sharing to ensure effective planning and response that protects the public to the maximum extent possible. While the occurrence of such major

disasters is normally spread out over time, whenever there is a natural disaster, it places additional pressures on public safety and government agencies in which the right communications tools can mean the difference in life and death to many people.

In 2005, the Arkansas DIS formed AWIN and established a governance structure to enable communications interoperability across the state, while still recognizing the operational and legal requirements of the individual member jurisdictions. AWIN has made great strides in interoperability across much of the state. The AWIN system has provided interoperable communications for multi-disciplinary events such as the Wakarusa Music Festival, and the Big Dam Bike Tour.

The AWIN governance structure established by Arkansas DIS has been invaluable in serving as a key focal point for communications interoperability planning, practice and implementation across the state. AWIN looks forward to leveraging this existing and proven governance structure to move forward beyond voice communications and enable interoperable broadband high speed data and video capabilities.

In addition to its people and process resources, Arkansas DIS and AWIN have a number of physical resources that can be leveraged to deploy a broadband system. For example, one of the largest costs in any communications system is the establishment of antenna sites. AWIN already has 74 antenna sites, which will ultimately be expanded to approximately 90 to 100 sites. These sites can also be used to support antennas, provide backup power and house equipment for the broadband system. While additional sites will be needed for broadband compared to those for narrowband operation, existing resources can significantly contribute toward system deployment.

II. THE REQUESTED WAIVER IS IN THE PUBLIC INTEREST

Grant of the requested waiver will provide great public interest benefits by allowing the state to move forward and implement broadband public safety service in a timely manner and under a plan that helps ensure once the system is built, it will meet public safety needs, both for operability and interoperability. Granting of the waiver will also allow the state to leverage existing communications sites and its extensive experience in interoperability governance gained over the last 20 years of the AWIN initiative and its predecessors to help deploy an interoperable broadband network.

Technology and communications in particular play an increasingly important role in providing public safety and homeland security. It is impossible to predict where the next natural or manmade disaster, criminal incident, or terrorist event will occur. Therefore, all jurisdictions must be as prepared as possible to deal with such incidents.

AWIN looks forward to an expeditious Commission grant of the requested waiver and authorization to deploy a public safety broadband interoperable network. Public safety requires constant vigilance and response 24 hours a day, 7 days a week and such a broadband network will provide essential tools to keep pace with the expanding requirements and risks we face.

Criminals are no longer limited to voice communications and neither should the police officers, firefighters and emergency medical personnel that serve the residents of Arkansas. Broadband communications will provide an extremely important addition to voice communications systems. A public safety grade broadband system will allow public safety personnel in the state to quickly and securely access databases in the field and to transmit images among personnel and with the command centers within the state. Examples of these applications include:

- Fast access to multiple criminal or hazardous material databases by personnel in the field
- Automatic vehicle location
- Mapping and GIS
- Transfer of images to/from public safety personnel in the field, e.g., in connection with an AMBER alert or a bomb threat.
- Video for surveillance and remote monitoring
- Next generation dispatch functions to manage these new capabilities

These advanced applications will serve both essential prevention and response activities. Expedient database access and image transfer can provide critical information that offers the extra margin between life and death.

Further, with the deployment of Long Term Evolution (LTE) broadband technology already endorsed by public safety leaders and the Commission, the State and members of AWIN can provide a broadband network which provides not only operability but also interoperability and technology leveraged off of commercial economies of scale. It is essential that broadband deployment in the state be accomplished in a manner that serves our respective jurisdictional operability requirements, is interoperable across our jurisdictions, and enables interoperability, as authorized, by any visiting jurisdictions that come to our assistance in times of disaster and is cost effective.

Grant of the waiver will allow the Arkansas DIS to pursue public funding and/or its own public/private partnership to commence construction and deployment of a broadband system, under a spectrum agreement with the PSST. The state is well positioned to deploy and provide interoperable public safety grade broadband communications that meet the requirements of this area if the spectrum is made available. With a grant of the waiver, the State can move forward to plan and deploy an

interoperable public safety broadband network.

The Commission rules currently in place envisioned that the public safety broadband network would be deployed under a public/private partnership by the auction winner of the adjacent “D block” spectrum. Those rules severely limit and discourage any local agency deployment. Under these current rules, the D block licensee will have the “exclusive right to build and operate the Shared Wireless Broadband Network encompassing both the PSST and D spectrum blocks.”¹ The failure of the D block auction almost three years ago introduced significant delays in that plan. Grant of the requested waiver will resolve that problem in our area by authorizing the State of Arkansas DIS to deploy a public safety grade broadband network, pursuant to a spectrum agreement with the PSST.

Grant of the requested waiver will provide great public interest benefits by allowing the state to move forward and implement an interoperable public safety broadband network the 763-768/793-798 MHz band without further delay.² Also, a waiver grant to Arkansas DIS will enable a plan that helps ensure once the system is built, it will meet the unique needs of public safety agencies in our area.

The Commission’s Order granting twenty-one previous 700 MHz broadband waiver requests to local and state jurisdictions indicates that permitted uses also include Federal users³ The state is home to a number of important Federal facilities, including Federal Courthouse in Little Rock, and the Pine Bluff Arsenal, with which our local

¹ 47 CFR, Sections 27.1330 and 90.143 of the FCC rules.

² Should Congress reallocate the additional spectrum in the D block to public safety, Arkansas DIS would subsequently seek a modification of its waiver grant to allow operation also on the D block spectrum.

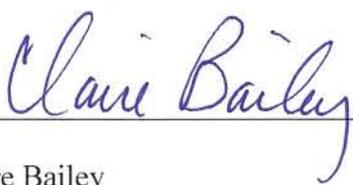
³ Order, PS Docket No. 06-229, released May 12, 2010 at para. 34.

jurisdictions coordinate. The current AWIN voice network already serves state, Federal and local users. Extending this approach to broadband may also open up additional potential opportunities for partnerships to deploy the broadband network in our area, including provisions for site access, cost sharing, etc. that would benefit all parties involved, as well as the public.

III. CONCLUSION

In light of the critical public safety and national security requirements at stake, the Arkansas Department of Information Systems urges the Commission to grant the requested waiver expeditiously. Grant of this waiver request is in the public interest and will further both public safety's and the Commission's goal to deploy a nationwide interoperable 700 MHz public safety broadband network. A grant is also consistent with Congressional interests in enabling interoperable broadband communications for public safety as soon as possible.

Respectfully submitted,



Claire Bailey
Director, Department of Information Systems
Chief Technology Officer
State of Arkansas

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