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

Subject: PS Docket No. 06-229, 4th NOPR

Introduction

In response to the FCC's Fourth Notice of Proposed Rulemaking in the above referenced proceeding, Cleco Corporation hereby submits comments from the practical perspective of an investor owned, fully integrated electric utility.

Cleco is based in central Louisiana, serving approximately 279,000 residential, commercial and industrial customers dating back to the early 1900s. Cleco manages over 3,000 megawatts of electric capacity through its regulated Cleco Power LLC and unregulated Cleco Midstream Resources LLC businesses, utilizing a diverse fuel mix of lignite, coal, petcoke and natural gas. With over 1,200 employees, Cleco manages and operates 70 transmission substations connected via 1,300 miles of transmission lines, together feeding over 350 distribution substations, dispersed over approximately 7,000 square miles.

In this submission, Cleco does not propose to address the legal questions regarding the eligibility of utilities relative to Section 337 of The Communications Act, as those arguments are better left to the Utilities Telecom Council and the Edison Electric Institute, both of whom are well positioned to make such arguments. Rather, Cleco proposes to demonstrate the real-world operational working relationship of utilities supporting customers and citizens in local communities, in conjunction with state and local public safety officials, which in our opinion provides a better context in which to consider such legal arguments.

As stated, Cleco operates throughout Louisiana, serving customers in communities ranging from hundreds to thousands of customers. Those same customers are served by local police departments, fire departments, ambulance services, parish sheriff's departments, state police, and many other agencies deemed public safety entities by reasonable standards. Like every other electric utility throughout the U.S., Cleco crews operate and maintain electric lines serving these common customers, and in many cases, these crews stand side-by-side with police and fire crews in the protection of life and property during times of emergency, and in Louisiana's case, natural disasters from hurricanes and the occasional ice storm. And, as aptly stated recently by a public safety official, utilities are sometimes first arrivers to the disaster or emergency area.

Supporting both utility and public safety personnel are the wireless two-way radios systems that provide the vital communications link to coordinate the safe and efficient restoration of order following a disaster or other community disturbance. On the utility's side, this includes the restoration of electric service, which feeds hospitals, public safety facilities, traffic systems, and water systems. On the public safety side, this includes the coordination of traffic control, emergency service personnel, crime control and prevention, and general civil order. In these emergency situations, those are the only two groups working to restore order – utilities and public safety personnel – no one else. As such, these two groups are uniquely aligned in their need for support systems.

Hurricane Katrina was a primary example of this response. Cleco crews followed the hurricane as it passed through St. Tammany Parish, assessing damage, including downed powerlines. This initial patrolling effort is critical, not only in determining the extent of the damage to estimate the restoration time, but also to determine what resources are needed to restore power to critical facilities such as hospitals, water supply stations, police and fire departments. In order to coordinate such activities, utilities rely on wireless communications networks, including voice and data systems.

To further illustrate this working partnership, utility communications networks are often used by public safety entities to reduce costs by sharing facilities. Cleco, for example, currently provides tower space to sheriff's offices and fire departments in Louisiana, and in Cleco's opinion, these entities are our best tenants. Public safety needs most closely match those of the utility's, so primary and backup power to the sites are critical to both groups, as are the backhaul links that tie multi-site networks together. During disasters, Cleco assigns personnel to parish EOCs to help coordinate emergency response efforts, and direct links to 911 centers are established to ensure Cleco responds immediately and appropriately to life threatening situations.

Now to the direct issue of the Commission's proposed rulemaking regarding the potential use and allocation of a portion of the 700MHz band, specifically the D-block. Cleco supports the direct allocation of this block for public safety services, and as illustrated Cleco believes strongly that its potential use of this band aligns directly with that stated purpose. Cleco also supports the use of LTE technology in this band, as this technology supports the segregation and prioritization of traffic to properly route information to the appropriate groups and in the appropriate order. From the utility's perspective, the technology will support the reliable and secure operation and switching of electricity, whether by data or voice (presuming that VoLTE protocols become reality). And finally, Cleco fully supports partnering arrangements between utilities and state/local public safety entities on exactly how the sharing of the spectrum would be fulfilled. This mirrors the existing relationships between the two groups now in terms of existing systems, so the model is in place, and there's no reason to believe it won't work with the sharing of spectrum and related systems.

Cleco greatly appreciates the opportunity to provide input on this vital issue. Cleco, like all utilities, strive to provide the most efficient, cost effective, and most importantly, the safest product that it possibly can, and efficiently utilizing the limited

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available spectrum furthers that goal. We strongly believe that partnering with public safety is the most ideal and obvious way to accomplish just that goal.

Yours truly,

A handwritten signature in black ink that reads "Troy West". The signature is written in a cursive style with a large initial "T" and a long, sweeping underline.

Troy West

General Manager, Technology & Corporate Services

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