

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Service Rules for the 698-746, 747-762 and 777-792 MHz Bands)	WT Docket No. 06-150
)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band)	PS Docket No. 06-229
)	
Amendment of Part 90 of the Commission's Rules)	WP Docket No. 07-100
)	

To: The Commission

REPLY COMMENTS OF SCANA CORPORATION

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Dated: May 10, 2011

EXECUTIVE SUMMARY

The comments submitted in this proceeding confirm that the public interest would be served by allowing utilities to share the 700 MHz Public Safety broadband spectrum with public safety. Commenters representing public safety agencies, state and local governments, other utilities, and equipment manufacturers and vendors agreed with SCANA that there are strong public policy reasons for including utilities as entities eligible to access the 700 MHz band. Among other things, commenters emphasized that utilities play a critical role in emergency response efforts and that utilities rely on their communications systems to provide essential public safety services to the general public. Commenters discussed how utilities will need to be included in shared 700 MHz systems in order to promote interoperability and provide funding and infrastructure that will facilitate the deployment of next generation broadband communication systems to support the protection of life, health and property.

The record also makes clear that the FCC has sufficient statutory authority to interpret Section 337 of the Communications Act to promote the development of shared public safety-private partnerships in the 700 MHz band. Several commenters presented legal arguments regarding the FCC's authority to permit utility access to the 700 MHz band that largely accord with those presented by SCANA. In addition, commenters pointed out that the FCC has previously interpreted Section 337 broadly to permit commercial use of the public safety spectrum in connection with a proposal to auction the 700 MHz D Block.

Finally, commenters overwhelmingly agreed with SCANA that the essential public safety character of the network can be maintained through contractual arrangements that govern authorization and consent for shared usage of the network and prioritization of traffic.

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SCANA Corporation, on behalf of itself and its operating subsidiaries, including SCANA Communications, Inc., SCANA Services, Inc. and South Carolina Electric & Gas Company (“SCE&G”) (collectively, “SCANA”) hereby submits its reply comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) request for further comment on the implementation of a nationwide interoperable public safety broadband network.¹

I. INTRODUCTION

The comments submitted by various stakeholders representing public safety organizations,² state and local governments,³ other utilities⁴ and equipment vendors and

¹ / *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, WT Docket No. 06-150, PS Docket No. 06-229, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, FCC 11-6 (rel. Jan. 26, 2011) (“*Third Report and Order*” and “*Fourth FNPRM*”).

² / See comments filed by APCO, PSST, and NPSTC.

manufacturers⁵ expressed overwhelming support for allowing utilities to share the 700 MHz Public Safety broadband spectrum with public safety. Although commenters presented different views and recommendations on the extent to which utilities should be permitted to access the 700 MHz Public Safety broadband spectrum, as well as the logistics of how utilities and public safety entities could share access, they enthusiastically and persuasively demonstrated that public safety-private partnerships between utilities and public safety agencies would be in the public interest and will be a critical part in the deployment, funding, and operation of the 700 MHz Public Safety broadband network. There is broad consensus on both the legal justification and the public policy reasons in support of allowing public safety agencies to share use of the 700 MHz band with utilities to provide essential public safety services for the protection of life, health and property.

SCANA has also received support from multiple state and public safety agencies that utilize the shared statewide 800 MHz radio system in South Carolina, commonly referred to as Palmetto 800. Included as an exhibit to SCANA's reply comments are letters SCANA has received from these agencies affirming their benefit from participation in a public safety-private partnership with utilities, including increased interoperability and efficiency. These agencies have also confirmed that their public safety operations have not been impeded by utility access to the system and that the prioritization plan for the Palmetto 800 radio system has performed well

³ / See comments filed by State of Minnesota, State of New Mexico, Baton Rouge, Louisiana, Mesa, Arizona, and Joint Comments of Washington, DC, Chesapeake (Virginia), Mesa (Arizona), Pembroke Pines (Florida), San Antonio (Texas), Seattle (Washington) and States of Iowa and Oregon.

⁴ / See comments filed by Southern Company Services, Inc., NV Energy, UTC and EEI.

⁵ / See comments filed by Alcatel-Lucent, Harris Corporation and IPWireless.

for them. Finally, they provide further support for including utilities as shared users of the 700 MHz Public Safety broadband spectrum.

II. THERE IS BROAD CONSENSUS THAT THE FCC HAS SUFFICIENT STATUTORY AUTHORITY TO PERMIT PUBLIC SAFETY-PRIVATE PARTNERSHIPS IN THE 700 MHZ BAND AND THAT IT WOULD PROMOTE THE PUBLIC INTEREST

As SCANA explained in its comments, the plain language of Section 337 of the Communications Act ensures the availability of this 700 MHz spectrum for public safety while providing the Commission with discretion to adopt rules for sharing of this spectrum in order to serve the public interest and accelerate the deployment of a public safety broadband network.⁶ SCANA also described the public policy reasons why public safety-private partnerships would promote interoperability, allow more efficient use of the spectrum, accelerate the deployment of public safety broadband networks and result in substantial savings to taxpayers. Commenters representing public safety entities, state and local governments, and utilities agreed with SCANA that Section 337 provides the FCC with broad legal authority to allow shared use of the 700 MHz Public Safety broadband network and that there are strong policy reasons for allowing such partnerships between public safety and utilities.

A. Public Safety Users Support the Eligibility of Utilities to Share the 700 MHz Spectrum

The Association of Public-Safety Communications Officials International (“APCO”), the nation’s oldest and largest public safety communications organization, argued that “public safety network operators should be allowed to permit utility use of the network to the maximum extent permitted by law, and assuming the network has sufficient capacity.”⁷ APCO stated that it agreed with “the vast majority of public safety organizations” that “utilities and similar entities

⁶ / Comments of SCANA at 3-10.

⁷ / Comments of APCO at 9.

can play a critical role in emergency response activities” and that interoperability between utilities and public safety agencies “is essential.”⁸ Furthermore, APCO confirmed that “much of what utilities do does involve the safety of life, health or property, and interoperability with utilities is often essential for the protection of life, health or property.”⁹

While APCO claimed that Section 337 would not allow utilities to be licensees or lessees in the 700 MHz Public Safety band, it supported “secondary” use of the band by utilities so long as communications by secondary users that are not for the protection of life, health or property are subject to preemption. At the same time, however, APCO asserted that the FCC should allow “local jurisdictions to make decisions on applications and priorities”¹⁰ and that “priority levels should largely be set and managed by local public safety users operating local networks both on a default and incident basis.”¹¹

The Public Safety Spectrum Trust Corporation (“PSST”), the non-profit entity selected by the FCC as the Public Safety Broadband Licensee for the 700 MHz Public Safety nationwide broadband spectrum, recommended that eligibility to use the spectrum include “critical infrastructure industry entities (*e.g.*, utilities) as long as core public safety agencies (*e.g.*, police, fire and emergency medical services) are in control of and manage priority access.”¹²

Similarly, the National Public Safety Telecommunications Council (“NPSTC”) agreed that “use by Critical Infrastructure Industries is appropriate where public safety agencies agree to

⁸ / *Id.*

⁹ / *Id.* at 10.

¹⁰ / *Id.* at 11.

¹¹ / *Id.* at 8.

¹² / Comments of PSST at 22.

that use and manage its prioritization.”¹³ NPSTC explained that “in any given incident, public safety may very well have an urgent priority to communicate with the power company and/or the gas company to turn off the utilities as part of the effort to save lives.” In those instances, NPSTC argued that “the principal purpose of this communications is clearly to support public safety and should qualify as eligible under Section 337 as long as public safety is in control of the prioritization.”

Thus, the position taken by these public safety organizations is consistent with SCANA’s that utilities should be allowed to use the 700 MHz band and that prioritization is a matter that should be decided and managed on a local level by the parties that have entered into a sharing agreement. Communications by utilities on the shared 700 MHz Public Safety broadband network would be used for the protection of life, health or property and, as such, should not be subject to preemption. As SCANA explained in its comments, prioritization of traffic on shared 700 MHz systems can be addressed through contractual arrangements developed by the entities sharing the network in each locality to develop protocols for prioritizing traffic on the system.¹⁴

B. State and Local Governments Recommend That the FCC Adopt a Broad Interpretation of Section 337

The State of Minnesota, through its Department of Public Safety, Division of Emergency Communications Networks, urged the FCC to “work to the fullest extent practicable to broaden the definition [of eligible users] to include ... non-government partners who share a common interest in the public good.”¹⁵ The State of Minnesota recommended that utilities be included in the definition of eligible users and argued that partnerships with “non-public safety or non-government entities are critical to the success” of the 700 MHz Public Safety broadband

¹³ / Comments of NPSTC at 22.

¹⁴ / Comments of SCANA at 18-20.

¹⁵ / Comments of Minnesota Department of Public Safety at 15.

network.¹⁶ SCANA strongly agrees with the State of Minnesota that participation by utilities in a shared 700 MHz system will strengthen the network and enhance the ability of all users to provide public safety services.

As an example of why non-public safety and non-government entities should be included as entities eligible to access a shared 700 MHz public safety-private partnership, the State of Minnesota described the success of its statewide trunked radio system that is used not only by public safety officials, but by “diverse government and pseudo-government organizations that share a common public interest in public safety.”¹⁷ Just as SCANA explained that the future success and migration of its statewide 800 MHz radio system to the next generation of broadband services is dependent upon shared access of the 700 MHz Public Safety broadband spectrum, the State of Minnesota also stated that use of the 700 MHz spectrum would need to be shared with non-public safety government communications networks in order for it to be successful. If the State of Minnesota is not able to enter into a partnership with private entities to share 700 MHz spectrum, it explained that “it will be difficult – or impossible – to justify or control the expense of building” a regional 700 MHz Public Safety network in Minnesota.¹⁸ SCANA strongly agrees with the State of Minnesota that a narrow definition of entities eligible to access the 700 MHz Public Safety broadband network would have “a negative impact on overall interoperability.”

Numerous other state and local governments, including those that have filed for waivers to allow early deployment of regional broadband networks in the 700 MHz band, argued that the FCC has sufficient flexibility under Section 337 to allow shared use of the spectrum by utilities.

¹⁶ / *Id.*

¹⁷ / *Id.*

¹⁸ / *Id.* at 16.

For example, joint comments filed by representatives of state agencies in Arizona, Delaware, Florida, Iowa, Oregon, Texas, Virginia, Washington, and the District of Columbia urged the FCC to “provide regional/tribal network operators the flexibility to offer services directly to any and all users within the broadest valid interpretation of Section 337 of the Communications Act.”¹⁹ They asserted that it was extremely important that public safety entities be able to provide “unrestricted service as the operator deems appropriate to federal users and users in critical infrastructure industries (‘CII’).”²⁰ Thus, they recommended that the FCC “interpret Section 337 as broadly as possible to ensure that operators can add CII to their subscriber rolls.”²¹

Individual cities such as the Baton Rouge, Louisiana and Mesa, Arizona also filed comments arguing the utilities should be included as eligible entities under Section 337. Baton Rouge agreed that the FCC should provide regional and local operators of a shared 700 MHz system “flexibility to offer services directly to any and all users within the broadest valid interpretation of Section 337 of the Communications Act,” including public safety users in CII.²² As described by Baton Rouge, utilities would use the 700 MHz Public Safety broadband network for two types of services – (1) protecting life, health and property, such as restoring downed power lines after a hurricane or providing assistance to fire fighters by turning off utility service during an emergency – and (2) other services that support the day-to-day internal activities and business of the utility.²³ SCANA strongly agrees with Baton Rouge that the former is authorized

¹⁹ / Comments of Certain Members of the Public Safety Spectrum Trust Operator Advisory Committee at 10.

²⁰ / *Id.*

²¹ / *Id.* at 11.

²² / Comments of Baton Rouge, LA at 3.

²³ / *Id.* at 3-4 n. 6.

directly under Section 337(f) because use of the 700 MHz spectrum by a utility would be to provide services for the protection of life, health or property. SCANA also agrees with Baton Rouge that the FCC should interpret Section 337 to allow the second type of service. As Baton Rouge explained, the FCC has previously interpreted Section 337 broadly to permit commercial use of the public safety spectrum in connection with a proposal to auction the 700 MHz D Block.²⁴

Mesa, Arizona asserted that interpreting Section 337 to include solely “first responders” would prevent local governments from building, operating, and maintaining a 700 MHz broadband network because of their limited financial resources.²⁵ Mesa, Arizona explained that permitting electric, water and gas utilities, who also respond to emergency situations, would make such a network economically feasible.²⁶

SCANA urges the FCC to closely review the legal arguments made by the State of New Mexico in support of allowing utilities to access and use the 700 MHz Public Safety broadband spectrum. SCANA supports New Mexico’s position that Section 337 provides the FCC with “very broad latitude . . . to establish rules to foster the development of a public safety broadband network.”²⁷ Specifically, SCANA agrees with New Mexico that the plain language of Section 337(f)(1) contemplates use of the spectrum by non-governmental entities for critical communications of a public safety nature, based on authorization from a governmental entity whose primary mission is the protection of life, health or property. In comments previously filed by New Mexico with the FCC in October 2010, and consistent with SCANA’s comments filed in

²⁴ / *Id.*

²⁵ / Comments of Mesa, AZ at 9.

²⁶ / *Id.*

²⁷ / Comments of New Mexico at 9.

this proceeding, New Mexico explained that the plain language of Section 337 provides that use of the 700 MHz band depends upon the type of communication service being provided on the network, not the type of entity providing the service.²⁸

New Mexico demonstrated that the FCC has previously interpreted Section 337 broadly to support public safety-private partnerships in the 700 MHz band. First, New Mexico explained that in 2007, when the FCC established the requirements for the expected winner of the D Block auction, the FCC held that allowing the D Block winner to use the public safety spectrum for “purely commercial purposes” on a secondary, preemptible basis would not undermine the principle purpose of the services provided in the band to protect the safety of life, health or property.²⁹ Second, New Mexico pointed out that the FCC rejected the argument that Section 337 should be interpreted to require that the public safety spectrum be used exclusively for public safety services because the statute did not contain any such limiting language.³⁰

Finally, SCANA agrees with New Mexico that the factual circumstances underpinning the FCC’s tentative interpretation of Section 337(f)(1) as not allowing utilities to use the 700 MHz Public Safety spectrum have changed. As New Mexico explained, the FCC’s tentative interpretation of Section 337 appears to have been based on the goal of attracting bidders for the D Block by requiring CII entities to purchase services from the D Block winner.³¹ However, with the lack of a D Block auction winner, this justification for prohibiting utilities from accessing the 700 MHz band no longer exists.

²⁸ / Comments of New Mexico at 12-14 (filed Oct. 15, 2010).

²⁹ / Comments of New Mexico at 11-2 (citing *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands; Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, Second Report and Order, 22 FCC Rcd 15289 (2007) (“*Second Report and Order*”)).

³⁰ / Comments of New Mexico at 12 (quoting *Second Report and Order*).

³¹ / Comments of New Mexico at 14.

These comments demonstrate that there is strong support from state and local governments that want to be able to enter into partnerships with utilities to provide communications services on the 700 MHz band to support the protection of life, health or property. These commenters have clearly established that the FCC has broad statutory authority to allow public safety entities to share the 700 MHz Public Safety band with utilities for both emergency response efforts and internal, utility communications that monitor and control critical utility infrastructure used to provide electric and gas utility services to the public. These state and local governments agree that the public interest would be well served by promoting public safety-private partnerships.

C. Other Utilities Overwhelmingly Demonstrated That the FCC Has Legal Authority to Allow Utility Use of the 700 MHz Band and Described How They Support Public Safety

Several other utilities filed comments in accord with those presented by SCANA on both the FCC's legal authority to permit utility access to the 700 MHz Public Safety broadband spectrum and the policy reasons in favor of public safety-private partnerships between public safety and utilities. SCANA submits that the record developed in this proceeding by the utility industry demonstrates that utilities are strong partners with public safety and that utilities must play a vital role in any 700 MHz system.

As SCANA described in its comments, the statewide 800 MHz radio system in South Carolina is prime example of how a successful public safety-private partnership can be implemented in the 700 MHz Public Safety broadband spectrum. The comments submitted by other utilities demonstrate that SCANA is hardly the only utility that has partnered with public safety to implement a statewide communications system. The Utilities Telecom Council explained that "[u]tilities and public safety have successfully partnered to deploy statewide systems in Colorado, Illinois, Nebraska, Nevada, Ohio, Pennsylvania and South Carolina, and

they have been able to compatibly share spectrum in the 800 MHz band and in the bands below 512 MHz.”³²

NV Energy described how the statewide 800 MHz radio system in Nevada is shared by state and local government agencies, public safety, law enforcement, fire service, transportation agencies, educational institutions, electric utilities and other entities.³³ Based on its experience in Nevada, NV Energy made several points similar to those made by SCANA, including that allowing utilities to partner with public safety entities to leverage existing infrastructure will enable public safety agencies to accelerate the deployment of 700 MHz networks at significantly less cost.³⁴ Cleco similarly explained that it has a close working relationship with public safety entities in Louisiana through agreements to share tower space and cooperation during emergency response efforts, including those during Hurricane Katrina.³⁵

SCANA fully supports the legal analysis presented by UTC and the Edison Electric Institute (“EEI”) in support of providing utilities with access to the 700 MHz Public Safety band in accordance with Section 337. UTC and EEI explained that utilities meet the definition of “public safety services” in Section 337 because utilities use their communications systems to provide critical services, including emergency response, service restoration, and control of critical utility infrastructure that provides essential services to the public at large.³⁶ Therefore, SCANA agrees with UTC and EEI that utilities may directly access the 700 MHz band. Similar to SCANA, UTC and EEI explained that the most reasonable interpretation of Section 337(f) is

³² / Comments of UTC at 2.

³³ / Comments of NV Energy at 2.

³⁴ / *Id.* at 7-8.

³⁵ / Comments of Cleco at 2-4.

³⁶ / Comments of UTC at 11-17; Comments of EEI at 5-7.

that the services being provided on the spectrum must be for the protection of life, health or property, not that the entity providing the service is the determining factor.³⁷ SCANA also strongly agrees with UTC that the legal reasoning employed by the FCC for its proposal to allow the 700 MHz commercial D Block license to access the 700 MHz Public Safety spectrum provides similar support for allowing utilities to share the spectrum.³⁸

SCANA also fully supports the comments of UTC and EEI on the issues relating to the implementation, administration, and operation of any public safety-private partnerships in the 700 MHz Public Safety broadband spectrum. SCANA agrees with UTC and EEI that the terms governing utility access to the spectrum and prioritization of traffic on the network should be managed at the local and regional level by the parties operating on the shared network instead of controlled through mandated limits.³⁹ SCANA also strongly agrees with Southern Company Services, Inc. (“Southern Company”) that use of the 700 MHz Public Safety broadband spectrum by utilities for internal operations could be used to support high-priority, mission-critical communications to remotely monitor and control critical utility infrastructure that provides vital utility service to the public.⁴⁰ The comments filed by Southern Company support SCANA’s position that the essential character of the 700 MHz Public Safety band can be maintained through guidelines or contractual arrangements developed by parties using the network in each locality or region, including arrangements that govern prioritization of traffic carried on the shared network.

³⁷ / Comments of UTC at 30-5; Comments of EEI at 11.

³⁸ / Comments of UTC at 37-8.

³⁹ / Comments of UTC at 39; Comments of EEI at 12-8.

⁴⁰ / Comments of Southern Company Services, Inc. at 4-6.

D. Equipment Manufacturers and Vendors Endorse Utility Use of 700 MHz Spectrum

In addition to public safety entities and state and local governments who weighed in with support for allowing utilities to use the 700 MHz Public Safety broadband spectrum, various manufacturers and vendors with expertise on technical issues also overwhelmingly agreed that utilities are eligible under Section 337.

For example, Alcatel-Lucent argued that “nothing in the legislative history indicates that Congress intended that the spectrum in question be dedicated exclusively to public safety use.”⁴¹ Alcatel-Lucent agreed with other commenters that the FCC’s tentative conclusion in the *700 MHz Third FNPRM* regarding utility use of the 700 MHz Public Safety broadband spectrum was never adopted and is therefore not binding.⁴² Alcatel-Lucent and Harris Corporation, like other commenters, argued that the FCC’s prior tentative conclusion is not supported by the FCC’s holdings in the *700 MHz Second Report and Order* that Section 337 did not require that the spectrum be allocated exclusively for public safety services and that secondary use of the public safety spectrum by non-public safety entities is permissible under Section 337.⁴³

Just as SCANA recommended that issues regarding shared access by utilities can be addressed through contractual arrangements, Harris Corporation suggested that the FCC could ensure that the spectrum is being used for public safety services by requiring utilities and other non-public safety entities to enter into a sharing agreement or memorandum of understanding.⁴⁴ SCANA agrees with Harris Corporation that “providing public safety entities with the opportunity to work with non-public safety governmental and quasi-governmental partners, such

⁴¹ / Comments of Alcatel-Lucent at 26.

⁴² / *Id.* at 27.

⁴³ / *Id.* at 26-8; Comments of Harris Corporation at 32-3.

⁴⁴ / Comments of Harris Corporation at 34-5.

as both state owned and private utilities, will help reduce deployment costs and provide the opportunity to leverage the infrastructure of non-public safety partners for public safety use.”⁴⁵ SCANA also agrees with IPWireless that the FCC should broaden the definition of eligible users under Section 337 to allow a shared network in the 700 MHz band to include regulated utilities because sharing between public safety, government users, and utilities “will make efficient use of the allocated spectrum, increase economies of scale and service the public interest, without the need for the network to provide services to the general public.”⁴⁶

III. CONCLUSION

The record developed in this proceeding establishes that there is overwhelming support from the public safety community, state and local governments, utilities, and other interested parties for promoting public safety-private partnerships in the 700 MHz Public Safety broadband spectrum. Stakeholders recognize that utilities provide public safety services and use their communications to control critical infrastructure. While some commenters raise concerns that utility access should be limited so as not to interfere with public safety communications, SCANA and other commenters have demonstrated that these concerns can be adequately addressed through contractual arrangements between parties operating on the shared network to address prioritization of traffic. As such, there is broad consensus that the FCC can and should interpret Section 337 to allow utilities to share the 700 MHz Public Safety broadband spectrum.

⁴⁵ / *Id.* at 39.

⁴⁶ / Comments of IPWireless at 37.

WHEREFORE, THE PREMISES CONSIDERED, SCANA Corporation respectfully requests the Commission to take action in this docket consistent with the views expressed herein.

Respectfully submitted,

SCANA CORPORATION

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Dated: May 10, 2011

EXHIBIT 1



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May 10, 2011

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Re: *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150; *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, PS Docket No. 06-229; *Amendment of Part 90 of the Commission's Rules*, WP Docket No. 07-100

Dear Ms. Dortch:

Augusta Richmond County hereby fully supports the comments filed by SCANA Corporation ("SCANA") in the Federal Communications Commission's ("FCC or "Commission") proceeding regarding the implementation of a nationwide interoperable public safety broadband network.¹ In particular, Augusta Richmond County urges the FCC to declare that utilities are eligible to access the 700 MHz Public Safety broadband spectrum.

Augusta Richmond County strongly agrees with the FCC and the public safety community that allowing utilities, such as SCANA, be included as entities eligible to access the 700 MHz Public Safety broadband network would be in the public interest.

South Carolina has implemented one of the largest statewide emergency communications radio systems in the United States, with over 25,000 voice system users, over 1,200 mobile data system users, and 9,800 mutual aid users. In the face of several catastrophic natural disasters, beginning with Hurricane Hugo in 1989, South Carolina's state and local public safety and law enforcement officials found that the lack of interoperable communications severely limited their ability to communicate and collaborate between agencies. As a result, South Carolina, along with SCANA and other organizations, worked together to implement a statewide, interoperable network. This network, commonly referred to as "Palmetto 800," is a unique, cost-shared, public-private partnership that has grown to over 381 agencies representing federal, state and local governments, law enforcement, fire services, emergency medical services, other public safety agencies, and electric utilities in South Carolina, North Carolina and Georgia.

The Palmetto 800 radio system has enabled our agency to achieve direct interoperability with other public safety agencies and private system subscribers. Without the ability to use the Palmetto 800 radio system, it would be

¹ / *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, WT Docket No. 06-150, PS Docket No. 06-229, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, FCC 11-6 (rel. Jan. 26, 2011) ("*Third Report and Order*" and "*Fourth FNPRM*").

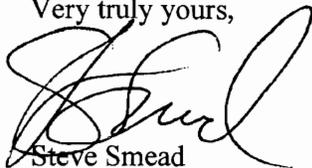
very difficult, if not impossible, for our agency to deploy its own broadband network because of the budget constraints our agency faces. Because of the public safety-private partnership, our agency has access to a cutting-edge system that we would not otherwise have if forced to rely solely on our agency's available funding. The Palmetto 800 radio system partnership provides significant cost savings to its users by spreading the costs to construct and maintain the system over a large number of users, thereby reducing individual user costs. Thus, both public safety agencies and utilities mutually benefit under the Palmetto 800 radio system by combining funding resources. If the FCC were to allow utilities to expand into the 700 MHz Public Safety broadband spectrum, our agency and other users of the Palmetto 800 radio system would be able to continue and expand this mutually beneficial relationship and achieve even greater cost savings.

The Palmetto 800 radio system has addressed the issue of priority access by adopting a priority access plan for widespread emergencies when large number of public safety and private utilities need to access the shared system to respond. Each participating agency divides its talk groups into priority levels: High, Medium and Low. During a disaster, High priority talkgroups would access voice channels first, with the High priority levels reserved for public safety and utility dispatch. Individual agencies must maintain a ratio of one talkgroup for every 25 radios. Talkgroups that do not meet that ratio must seek approval from the Advisory Committee made up of users of the of the Palmetto 800 system. Each user agency must develop essential operation plans for disasters, requiring the agency to reduce its talk group loading to a one-to-fifty ratio or better and to restrict operations to only those that are essential.

The Palmetto 800 radio system is a prime example of state and local governments, public safety agencies, and utility entities working together to share spectrum and assets in order to implement a statewide, interoperable communications network on a cost-shared basis. While the Palmetto 800 radio system has worked well so far, the continued migration of this shared public safety-private partnership to next generation broadband technologies would be greatly enhanced by the ability of SCANA to share frequencies currently reserved for public safety users in the 700 MHz band.

The cooperative approach to building and maintaining the Palmetto 800 radio system has enabled our agency to make more efficient use of spectrum and to foster new working relationships with other state agencies. In order to continue and expand the existing synergies and close working relationship between SCANA and our agency and evolve to next generation broadband systems, we strongly urge the FCC to declare the utilities are allowed to share 700 MHz Public Safety broadband spectrum.

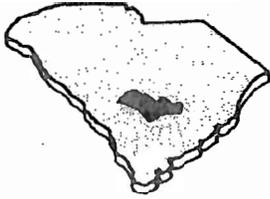
Very truly yours,

A handwritten signature in black ink, appearing to read "Steve Smead", written over a printed name.

Steve Smead

RF Administrator

Augusta Richmond County



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Re: *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150; *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, PS Docket No. 06-229; *Amendment of Part 90 of the Commission's Rules*, WP Docket No. 07-100

Dear Ms. Dortch:

The County of Orangeburg hereby fully supports the comments filed by SCANA Corporation ("SCANA") in the Federal Communications Commission's ("FCC or "Commission") proceeding regarding the implementation of a nationwide interoperable public safety broadband network.¹ In particular Orangeburg county urges the FCC to declare that utilities are eligible to access the 700 MHz Public Safety broadband spectrum.

Orangeburg County strongly agrees with the FCC and the public safety community that allowing utilities, such as SCANA, be included as entities eligible to access the 700 MHz Public Safety broadband network would be in the public interest.

South Carolina has implemented one of the largest statewide emergency communications radio systems in the United States, with over 25,000 voice system users, over 1,200 mobile data system users, and 9,800 mutual aid users. In the face of several catastrophic natural disasters, beginning with Hurricane Hugo in 1989, South Carolina's state and local public safety and law enforcement officials found that the lack of interoperable communications severely limited their ability to communicate and collaborate between agencies. As a result, South Carolina, along with SCANA and other organizations, worked together to implement a statewide, interoperable network. This network, commonly referred to as "Palmetto 800," is a unique, cost-shared, public-private partnership that has grown to over 381 agencies representing federal, state and local governments, law enforcement, fire services, emergency medical services, other public safety agencies, and electric utilities in South Carolina, North Carolina and Georgia.

¹ / *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, WT Docket No. 06-150, PS Docket No. 06-229, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, FCC 11-6 (rel. Jan. 26, 2011) ("*Third Report and Order*" and "*Fourth FNPRM*").

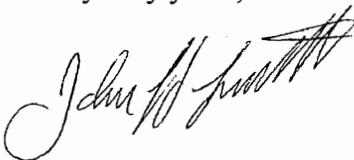
The Palmetto 800 radio system has enabled our agency to achieve direct interoperability with other public safety agencies and private system subscribers. Without the ability to use the Palmetto 800 radio system, it would be very difficult, if not impossible, for our agency to deploy its own broadband network because of the budget constraints our agency faces. Because of the public safety-private partnership, our agency has access to a cutting-edge system that we would not otherwise have if forced to rely solely on our agency's available funding. The Palmetto 800 radio system partnership provides significant cost savings to its users by spreading the costs to construct and maintain the system over a large number of users, thereby reducing individual user costs. Thus, both public safety agencies and utilities mutually benefit under the Palmetto 800 radio system by combining funding resources. If the FCC were to allow utilities to expand into the 700 MHz Public Safety broadband spectrum, our agency and other users of the Palmetto 800 radio system would be able to continue and expand this mutually beneficial relationship and achieve even greater cost savings.

The Palmetto 800 radio system has addressed the issue of priority access by adopting a priority access plan for widespread emergencies when large number of public safety and private utilities need to access the shared system to respond. Each participating agency divides its talk groups into priority levels: High, Medium and Low. During a disaster, High priority talkgroups would access voice channels first, with the High priority levels reserved for public safety and utility dispatch. Individual agencies must maintain a ratio of one talkgroup for every 25 radios. Talkgroups that do not meet that ratio must seek approval from the Advisory Committee made up of users of the of the Palmetto 800 system. Each user agency must develop essential operation plans for disasters, requiring the agency to reduce its talk group loading to a one-to-fifty ratio or better and to restrict operations to only those that are essential.

The Palmetto 800 radio system is a prime example of state and local governments, public safety agencies, and utility entities working together to share spectrum and assets in order to implement a statewide, interoperable communications network on a cost-shared basis. While the Palmetto 800 radio system has worked well so far, the continued migration of this shared public safety-private partnership to next generation broadband technologies would be greatly enhanced by the ability of SCANA to share frequencies currently reserved for public safety users in the 700 MHz band.

The cooperative approach to building and maintaining the Palmetto 800 radio system has enabled our agency to make more efficient use of spectrum and to foster new working relationships with other state agencies. In order to continue and expand the existing synergies and close working relationship between SCANA and our agency and evolve to next generation broadband systems, we strongly urge the FCC to declare the utilities are allowed to share 700 MHz Public Safety broadband spectrum.

Very truly yours,



John H. Smith
Deputy County Administrator
Emergency Services Division

NIKKI HALEY, CHAIRMAN
GOVERNOR

CURTIS M. LOFTIS, JR.
STATE TREASURER

RICHARD ECKSTROM, CPA
COMPTROLLER GENERAL



SC BUDGET AND CONTROL BOARD

DIVISION OF STATE INFORMATION TECHNOLOGY

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ELEANOR KITZMAN
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May 10, 2011

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150; *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, PS Docket No. 06-229; *Amendment of Part 90 of the Commission's Rules*, WP Docket No. 07-100

Dear Ms. Dortch:

The South Carolina Budget and Control Board, Division of State Information Technology is the administrator of the Palmetto 800 statewide radio system and hereby fully supports the comments filed by SCANA Corporation ("SCANA") in the Federal Communications Commission's ("FCC or "Commission") proceeding regarding the implementation of a nationwide interoperable public safety broadband network.¹ In particular, the Division of State Information Technology urges the FCC to declare that utilities are eligible to access the 700 MHz Public Safety broadband spectrum.

The Division of State Information Technology strongly agrees with the FCC and the public safety community that allowing utilities, such as SCANA, be included as entities eligible to access the 700 MHz Public Safety broadband network would be in the public interest.

South Carolina has implemented one of the largest statewide emergency communications radio systems in the United States, with over 29,638 voice system users, over 1,200 mobile data system users, and 10,000 mutual aid users. In the face of several catastrophic natural disasters, beginning with Hurricane Hugo in 1989, South Carolina's state and local public safety and law enforcement officials found that the lack of interoperable communications severely limited their ability to communicate and collaborate between agencies. As a result, South Carolina, along with SCANA and other organizations, worked together to implement a statewide, interoperable network. This network, commonly referred to as "Palmetto 800," is a unique, cost-shared, public-private partnership that has grown to over 600 agencies representing federal, state and local governments, law enforcement, fire services, emergency medical services, schools, other public safety agencies, and electric utilities in South Carolina, North Carolina and Georgia.

The Palmetto 800 radio system has enabled our agency to achieve direct interoperability with other public safety agencies and private system subscribers. Without the ability to use the Palmetto 800 radio system, it would be very difficult, if not impossible, for our agency to deploy its own broadband network because of the

¹ / *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, WT Docket No. 06-150, PS Docket No. 06-229, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, FCC 11-6 (rel. Jan. 26, 2011) ("*Third Report and Order*" and "*Fourth FNPRM*").

budget constraints our agency faces. Because of the public safety-private partnership, our agency has access to a cutting-edge system that we would not otherwise have if forced to rely solely on our agency's available funding. The Palmetto 800 radio system partnership provides significant cost savings to its users by spreading the costs to construct and maintain the system over a large number of users, thereby reducing individual user costs. Thus, both public safety agencies and utilities mutually benefit under the Palmetto 800 radio system by combining funding resources. If the FCC were to allow utilities to expand into the 700 MHz Public Safety broadband spectrum, our agency and other users of the Palmetto 800 radio system would be able to continue and expand this mutually beneficial relationship and achieve even greater cost savings.

The Palmetto 800 radio system has addressed the issue of priority access by adopting a priority access plan for widespread emergencies when large number of public safety and private utilities need to access the shared system to respond. Each participating agency divides its talk groups into priority levels: High, Medium and Low. During a disaster, High priority talkgroups would access voice channels first, with the High priority levels reserved for public safety and utility dispatch. Individual agencies must maintain a ratio of one talkgroup for every 25 radios. Talkgroups that do not meet that ratio must seek approval from the Advisory Committee made up of users of the of the Palmetto 800 system. Each user agency must develop essential operation plans for disasters, requiring the agency to reduce its talk group loading to a one-to-fifty ratio or better and to restrict operations to only those that are essential.

The Palmetto 800 radio system is a prime example of state and local governments, public safety agencies, and utility entities working together to share spectrum and assets in order to implement a statewide, interoperable communications network on a cost-shared basis. While the Palmetto 800 radio system has worked well so far, the continued migration of this shared public safety-private partnership to next generation broadband technologies would be greatly enhanced by the ability of SCANA to share frequencies currently reserved for public safety users in the 700 MHz band. The reassignment of available 800 MHz spectrum to Southern Link as part of rebanding forces South Carolina and the Palmetto 800 partnership migrate to 700 for the development and implementation of next generation technologies.

The cooperative approach to building and maintaining the Palmetto 800 radio system has enabled our agency to make more efficient use of spectrum and to foster new working relationships with other state agencies, cities, counties, law enforcement, fire, EMS and federal agencies. In order to continue and expand the existing synergies, cost effectiveness and close working relationship between SCANA and our agency and evolve to next generation broadband systems, we strongly urge the FCC to declare the utilities are allowed to share 700 MHz Public Safety broadband spectrum.

Very truly yours,



George S Crouch
Statewide Interoperability Coordinator &
Palmetto 800 Contract Administrator

S.C. STATEWIDE 800 MHz TRUNKING ADVISORY COMMITTEE

May 10, 2011

Tim Simmons
Chairman
State Law Enforcement

Nick Babin
Vice Chairman
SC Dept. of Public Safety

Ron Arroyo
Dorchester County

Fran Moore
Greenville City PD

Mike Burgess
SC Dept. of Public Safety

Freddie Thompson
Spartanburg County

Wayne Plemmons
SCE & G

Major George Bothers
Lexington County

Harvey Hoots
SC DHEC

Robbie Owens
Georgetown County

Matthew Littleton
Anderson County

Mike Sonefeld
Inno Fire Dept.

Luke Pye
Spartanburg EMS

Bill Petrea
Goose Creek PD

Don Brookshire
Anderson Sheriff

John Smith
Orangeburg County

Gary Hewett
Augusta-Richmond, GA

Daniel Lane
Richland County

Rich Hines
Columbia Police Dept.

George Crouch
State Contract Administrator

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, WT Docket No. 06-150; Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band, PS Docket No. 06-229; Amendment of Part 90 of the Commission's Rules, WP Docket No. 07-100*

Dear Ms. Dortch:

The South Carolina Statewide 800 MHz Trunking Advisory Committee ("Advisory Committee") represents the users of the Palmetto 800 statewide radio system and hereby fully supports the comments filed by SCANA Corporation ("SCANA") in the Federal Communications Commission's ("FCC or "Commission") proceeding regarding the implementation of a nationwide interoperable public safety broadband network.¹ In particular, the Advisory Committee urges the FCC to declare that utilities are eligible to access the 700 MHz Public Safety broadband spectrum.

The Advisory Committee strongly agrees with the FCC and the public safety community that allowing utilities, such as SCANA, be included as entities eligible to access the 700 MHz Public Safety broadband network would be in the public interest.

South Carolina has implemented one of the largest statewide emergency communications radio systems in the United States, with over 29,638 voice system users, over 1,200 mobile data system users, and 10,000 mutual aid users. In the face of several catastrophic natural disasters, beginning with Hurricane Hugo in 1989, South Carolina's state and local public safety and law enforcement officials found that the lack of interoperable communications severely limited their ability to

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communicate and collaborate between agencies. As a result, nineteen (19) years ago South Carolina, along with SCANA and other organizations, began working together to implement a statewide, interoperable network. This network, commonly referred to as "Palmetto 800," is a unique, cost-shared, public-private partnership that has grown to over 600 agencies representing federal, state and local governments, law enforcement, fire services, emergency medical services, schools, other public safety agencies, and electric utilities in South Carolina, North Carolina and Georgia.

The Palmetto 800 radio system has enabled our agency to achieve direct interoperability with other public safety agencies and private system subscribers. Without the ability to use the Palmetto 800 radio system, it would be very difficult, if not impossible, for our agency to deploy its own broadband network because of the budget constraints our agency faces. Because of the public safety-private partnership, our agency has access to a cutting-edge system that we would not otherwise have if forced to rely solely on our agency's available funding. The Palmetto 800 radio system partnership provides significant cost savings to its users by spreading the costs to construct and maintain the system over a large number of users, thereby reducing individual user costs. Thus, both public safety agencies and utilities mutually benefit under the Palmetto 800 radio system by combining funding resources. If the FCC were to allow utilities to expand into the 700 MHz Public Safety broadband spectrum, our agency and other users of the Palmetto 800 radio system would be able to continue and expand this mutually beneficial relationship and achieve even greater cost savings.

The Advisory Committee is responsible for and has addressed the issue of priority access for users of the Palmetto 800 radio system by adopting a priority access plan for widespread emergencies when large number of public safety and private utilities need to access the shared system to respond. Each participating agency divides its talk groups into priority levels: High, Medium and Low. During a disaster, High priority talkgroups would access voice channels first, with the High priority levels reserved for public safety and utility dispatch. Individual agencies must maintain a ratio of one talkgroup for every 25 radios. Talkgroups that do not meet that ratio must seek approval from the Advisory Committee made up of users of the of the Palmetto 800 system. Each user agency must develop essential operation plans for disasters, requiring the agency to reduce its talk group loading to a one-to-fifty ratio or better and to restrict operations to only those that are essential.

The Palmetto 800 radio system is a prime example of state and local governments, public safety agencies, and utility entities working together to share spectrum and assets in order to implement a statewide, interoperable communications network on a cost-shared basis. While the Palmetto 800 radio system has worked well so far, the continued migration of this shared public safety-private partnership to next generation broadband technologies would be greatly enhanced by the ability of SCANA to share frequencies currently reserved for public safety users in the 700 MHz band. The reassignment of available 800 MHz spectrum to Southern Link as part of rebanding forces South Carolina and the Palmetto 800 partnership migrate to 700 for the development and implementation of next generation technologies.

The cooperative approach to building and maintaining the Palmetto 800 radio system has enabled our agency to make more efficient use of spectrum and to foster new working relationships with other state agencies, cities, counties, law enforcement, fire, EMS and federal agencies. In order to continue and expand the existing synergies, cost effectiveness and close working relationship between SCANA and our agency and evolve to next generation broadband

systems, we the elected members of the Advisory Committee strongly urge the FCC to declare our partner utilities for 19 years are allowed to share 700 MHz Public Safety broadband spectrum.

Very truly yours,

A handwritten signature in black ink that reads "Tim Simmons". The signature is written in a cursive style with a long, sweeping underline.

Tim Simmons

Chairman, South Carolina 800 MHz Trunking Advisory Committee

South Carolina Local Communications Association
William Winn, President
PO Drawer 1228
Beaufort, SC 29901
Office: (843) 255-4028
Fax: (843) 255-9416

May 10, 2011

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150; *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, PS Docket No. 06-229; *Amendment of Part 90 of the Commission's Rules*, WP Docket No. 07-100

Dear Ms. Dortch:

South Carolina Local Communications Association represents the counties and municipalities that operate their own 800/700 MHz communications systems. We have a mutual agreement with PAL 800 Systems to operate and support utilities for the operations of this system.

South Carolina Local Communications Association hereby fully supports the comments filed by SCANA Corporation ("SCANA") in the Federal Communications Commission's ("FCC or "Commission") proceeding regarding the implementation of a nationwide interoperable public safety broadband network.¹ In particular, South Carolina Local Communication Association urges the FCC to declare that utilities are eligible to access the 700 MHz Public Safety broadband spectrum.

South Carolina Local Communications Association strongly agrees with the FCC and the public safety community that allowing utilities, such as SCANA, be included as entities eligible to access the 700 MHz Public Safety broadband network would be in the public interest.

South Carolina has implemented one of the largest statewide emergency communications radio systems in the United States, with over 25,000 voice system users, over 1,200 mobile data system users, and 9,800 mutual aid users. In the face of several catastrophic natural disasters, beginning with Hurricane Hugo in 1989, South Carolina's state and local public safety and law enforcement officials found that the lack of interoperable communications severely limited their ability to communicate and collaborate between agencies. As a result, South Carolina, along with SCANA and other organizations, worked together to implement a statewide, interoperable network. This network, commonly referred to as "Palmetto 800," is a unique, cost-shared, public-private partnership that has grown to over 381 agencies representing federal, state and local governments, law enforcement, fire services, emergency medical services, other public safety agencies, and electric utilities in South Carolina, North Carolina and Georgia.

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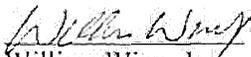
The Palmetto 800 radio system has enabled our agency to achieve direct interoperability with other public safety agencies and private system subscribers. Without the ability to use the Palmetto 800 radio system, it would be very difficult, if not impossible, for our agency to deploy its own broadband network because of the budget constraints our agency faces. Because of the public safety-private partnership, our agency has access to a cutting-edge system that we would not otherwise have if forced to rely solely on our agency's available funding. The Palmetto 800 radio system partnership provides significant cost savings to its users by spreading the costs to construct and maintain the system over a large number of users, thereby reducing individual user costs. Thus, both public safety agencies and utilities mutually benefit under the Palmetto 800 radio system by combining funding resources. If the FCC were to allow utilities to expand into the 700 MHz Public Safety broadband spectrum, our agency and other users of the Palmetto 800 radio system would be able to continue and expand this mutually beneficial relationship and achieve even greater cost savings.

The Palmetto 800 radio system has addressed the issue of priority access by adopting a priority access plan for widespread emergencies when large number of public safety and private utilities need to access the shared system to respond. Each participating agency divides its talk groups into priority levels: High, Medium and Low. During a disaster, High priority talkgroups would access voice channels first, with the High priority levels reserved for public safety and utility dispatch. Individual agencies must maintain a ratio of one talkgroup for every 25 radios. Talkgroups that do not meet that ratio must seek approval from the Advisory Committee made up of users of the of the Palmetto 800 system. Each user agency must develop essential operation plans for disasters, requiring the agency to reduce its talk group loading to a one-to-fifty ratio or better and to restrict operations to only those that are essential.

The Palmetto 800 radio system is a prime example of state and local governments, public safety agencies, and utility entities working together to share spectrum and assets in order to implement a statewide, interoperable communications network on a cost-shared basis. While the Palmetto 800 radio system has worked well so far, the continued migration of this shared public safety-private partnership to next generation broadband technologies would be greatly enhanced by the ability of SCANA to share frequencies currently reserved for public safety users in the 700 MHz band.

The cooperative approach to building and maintaining the Palmetto 800 radio system has enabled our agency to make more efficient use of spectrum and to foster new working relationships with other state agencies. In order to continue and expand the existing synergies and close working relationship between SCANA and our agency and evolve to next generation broadband systems, we strongly urge the FCC to declare the utilities are allowed to share 700 MHz Public Safety broadband spectrum.

Very truly yours,



William Winn, Jr.

President

South Carolina Local Communications Association



SPARTANBURG

COMMUNICATIONS / 9-1-1 DEPARTMENT

P.O. BOX 5666
SPARTANBURG, S.C. 29304

(864) 596-2050
FAX (864) 596-2382

May 10, 2011

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150;
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band, PS Docket No. 06-229; *Amendment of Part 90 of the Commission's Rules*, WP Docket No. 07-100

Dear Ms. Dortch:

Spartanburg County Communications/9-1-1 Department hereby fully supports the comments filed by SCANA Corporation ("SCANA") in the Federal Communications Commission's ("FCC or "Commission") proceeding regarding the implementation of a nationwide interoperable public safety broadband network.¹ In particular, **Spartanburg County Communications/9-1-1 Department** urges the FCC to declare that utilities are eligible to access the 700 MHz Public Safety broadband spectrum.

Spartanburg County Communications/9-1-1 Department strongly agrees with the FCC and the public safety community that allowing utilities, such as SCANA, be included as entities eligible to access the 700 MHz Public Safety broadband network would be in the public interest.

South Carolina has implemented one of the largest statewide emergency communications radio systems in the United States, with over 25,000 voice system users, over 1,200 mobile data system users, and 9,800 mutual aid users. In the face of several catastrophic natural disasters, beginning with Hurricane Hugo in 1989, South Carolina's state and local public safety and law enforcement officials found that the lack of interoperable communications severely limited their

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ability to communicate and collaborate between agencies. As a result, South Carolina, along with SCANA and other organizations, worked together to implement a statewide, interoperable network. This network, commonly referred to as "Palmetto 800," is a unique, cost-shared, public-private partnership that has grown to over 381 agencies representing federal, state and local governments, law enforcement, fire services, emergency medical services, other public safety agencies, and electric utilities in South Carolina, North Carolina and Georgia.

The Palmetto 800 radio system has enabled our agency to achieve direct interoperability with other public safety agencies and private system subscribers. Without the ability to use the Palmetto 800 radio system, it would be very difficult, if not impossible, for our agency to deploy its own broadband network because of the budget constraints our agency faces. Because of the public safety-private partnership, our agency has access to a cutting-edge system that we would not otherwise have if forced to rely solely on our agency's available funding. The Palmetto 800 radio system partnership provides significant cost savings to its users by spreading the costs to construct and maintain the system over a large number of users, thereby reducing individual user costs. Thus, both public safety agencies and utilities mutually benefit under the Palmetto 800 radio system by combining funding resources. If the FCC were to allow utilities to expand into the 700 MHz Public Safety broadband spectrum, our agency and other users of the Palmetto 800 radio system would be able to continue and expand this mutually beneficial relationship and achieve even greater cost savings.

The Palmetto 800 radio system has addressed the issue of priority access by adopting a priority access plan for widespread emergencies when large number of public safety and private utilities need to access the shared system to respond. Each participating agency divides its talk groups into priority levels: High, Medium and Low. During a disaster, High priority talkgroups would access voice channels first, with the High priority levels reserved for public safety and utility dispatch. Individual agencies must maintain a ratio of one talkgroup for every 25 radios. Talkgroups that do not meet that ratio must seek approval from the Advisory Committee made up of users of the of the Palmetto 800 system. Each user agency must develop essential operation plans for disasters, requiring the agency to reduce its talk group loading to a one-to-fifty ratio or better and to restrict operations to only those that are essential.

The Palmetto 800 radio system is a prime example of state and local governments, public safety agencies, and utility entities working together to share spectrum and assets in order to implement a statewide, interoperable communications network on a cost-shared basis. While the Palmetto 800 radio system has worked well so far, the continued migration of this shared public safety-private partnership to next generation broadband technologies would be greatly enhanced by the ability of SCANA to share frequencies currently reserved for public safety users in the 700 MHz band.

The cooperative approach to building and maintaining the Palmetto 800 radio system has enabled our agency to make more efficient use of spectrum and to foster new working relationships with other state agencies. In order to continue and expand the existing synergies and close working relationship between SCANA and our agency and evolve to next generation broadband systems, we strongly urge the FCC to declare the utilities are allowed to share 700 MHz Public Safety broadband spectrum.

Very truly yours,

A handwritten signature in cursive script that reads "Fred D. Thompson".

Fred D. Thompson, ENP

Assistant Director of Communications

Spartanburg County Communications/9-1-1 Department



SPARTANBURG COUNTY

OFFICE OF EMERGENCY SERVICES

Business: (864) 596-2050
Fax: (864) 596-2382

May 10, 2011

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150;
*Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz
Band*, PS Docket No. 06-229; *Amendment of Part 90 of the Commission's Rules*, WP Docket No.
07-100

Dear Ms. Dortch:

Spartanburg County Communications/9-1-1 Department hereby fully supports the comments filed by SCANA Corporation ("SCANA") in the Federal Communications Commission's ("FCC or "Commission") proceeding regarding the implementation of a nationwide interoperable public safety broadband network.¹ In particular, Spartanburg County Communications/9-1-1 Department urges the FCC to declare that utilities are eligible to access the 700 MHz Public Safety broadband spectrum.

Spartanburg County Communications/9-1-1 Department strongly agrees with the FCC and the public safety community that allowing utilities, such as SCANA, be included as entities eligible to access the 700 MHz Public Safety broadband network would be in the public interest.

South Carolina has implemented one of the largest statewide emergency communications radio systems in the United States, with over 29,638 voice system users, over 1,200 mobile data system users, and 10,000 mutual aid users. In the face of several catastrophic natural disasters, beginning with Hurricane Hugo in 1989, South Carolina's state and local public safety and law enforcement officials found that the lack of interoperable communications severely limited their ability to communicate and collaborate between agencies. As a result, South Carolina, along with SCANA and other organizations, worked together to implement a statewide, interoperable network. This network, commonly referred to as "Palmetto 800," is a unique, cost-shared, public-private partnership that has grown to over 600 agencies representing federal, state and local governments, law enforcement, fire services, emergency medical services, other public safety agencies, and electric utilities in South Carolina, North Carolina and Georgia.

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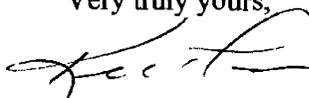
The Palmetto 800 radio system has enabled our agency to achieve direct interoperability with other public safety agencies and private system subscribers. Without the ability to use the Palmetto 800 radio system, it would be very difficult, if not impossible, for our agency to deploy its own broadband network because of the budget constraints our agency faces. Because of the public safety-private partnership, our agency has access to a cutting-edge system that we would not otherwise have if forced to rely solely on our agency's available funding. The Palmetto 800 radio system partnership provides significant cost savings to its users by spreading the costs to construct and maintain the system over a large number of users, thereby reducing individual user costs. Thus, both public safety agencies and utilities mutually benefit under the Palmetto 800 radio system by combining funding resources. If the FCC were to allow utilities to expand into the 700 MHz Public Safety broadband spectrum, our agency and other users of the Palmetto 800 radio system would be able to continue and expand this mutually beneficial relationship and achieve even greater cost savings.

The Palmetto 800 radio system has addressed the issue of priority access by adopting a priority access plan for widespread emergencies when large number of public safety and private utilities need to access the shared system to respond. Each participating agency divides its talk groups into priority levels: High, Medium and Low. During a disaster, High priority talkgroups would access voice channels first, with the High priority levels reserved for public safety and utility dispatch. Individual agencies must maintain a ratio of one talkgroup for every 25 radios. Talkgroups that do not meet that ratio must seek approval from the Advisory Committee made up of users of the of the Palmetto 800 system. Each user agency must develop essential operation plans for disasters, requiring the agency to reduce its talk group loading to a one-to-fifty ratio or better and to restrict operations to only those that are essential.

The Palmetto 800 radio system is a prime example of state and local governments, public safety agencies, and utility entities working together to share spectrum and assets in order to implement a statewide, interoperable communications network on a cost-shared basis. While the Palmetto 800 radio system has worked well so far, the continued migration of this shared public safety-private partnership to next generation broadband technologies would be greatly enhanced by the ability of SCANA to share frequencies currently reserved for public safety users in the 700 MHz band.

The cooperative approach to building and maintaining the Palmetto 800 radio system has enabled our agency to make more efficient use of spectrum and to foster new working relationships with other state agencies. In order to continue and expand the existing synergies and close working relationship between SCANA and our agency and evolve to next generation broadband systems, we strongly urge the FCC to declare the utilities are allowed to share 700 MHz Public Safety broadband spectrum.

Very truly yours,



Keith Lee, MPA, ENP
Deputy Director



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
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Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands*, WT Docket No. 06-150;
*Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz
Band*, PS Docket No. 06-229; *Amendment of Part 90 of the Commission's Rules*, WP Docket No.
07-100

Dear Ms. Dortch:

The Federal Bureau of Investigation Columbia Division (FBI Columbia) hereby fully supports the comments filed by SCANA Corporation ("SCANA") in the Federal Communications Commission's ("FCC or "Commission") proceeding regarding the implementation of a nationwide interoperable public safety broadband network.¹ In particular, FBI Columbia urges the FCC to declare that utilities are eligible to access the 700 MHz Public Safety broadband spectrum.

FBI Columbia strongly agrees with the FCC and the public safety community that allowing utilities, such as SCANA, be included as entities eligible to access the 700 MHz Public Safety broadband network would be in the public interest.

South Carolina has implemented one of the largest statewide emergency communications radio systems in the United States, with over 25,000 voice system users, over 1,200 mobile data system users, and 9,800 mutual aid users. In the face of several catastrophic natural disasters, beginning with Hurricane Hugo in 1989, South Carolina's state and local public safety and law enforcement officials found that the lack of interoperable communications severely limited their ability to communicate and collaborate between agencies. As a result, South Carolina, along with SCANA and other organizations, worked together to implement a statewide, interoperable network. This network, commonly referred to as "Palmetto 800," is a unique, cost-shared, public-private partnership that has grown to over 381 agencies representing federal, state and local governments, law enforcement, fire services, emergency medical services, other public safety

¹ / *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, Implementing a
Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, WT Docket
No. 06-150, PS Docket No. 06-229, Third Report and Order and Fourth Further Notice of
Proposed Rulemaking, FCC 11-6 (rel. Jan. 26, 2011) ("*Third Report and Order*" and "*Fourth
FNPRM*").

agencies, and electric utilities in South Carolina, North Carolina and Georgia.

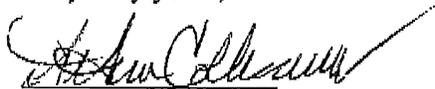
The Palmetto 800 radio system has enabled our agency to achieve direct interoperability with other public safety agencies and private system subscribers. Without the ability to use the Palmetto 800 radio system, it would be very difficult, if not impossible, for our agency to deploy its own broadband network because of the budget constraints our agency faces. Because of the public safety-private partnership, our agency has access to a cutting-edge system that we would not otherwise have if forced to rely solely on our agency's available funding. The Palmetto 800 radio system partnership provides significant cost savings to its users by spreading the costs to construct and maintain the system over a large number of users, thereby reducing individual user costs. Thus, both public safety agencies and utilities mutually benefit under the Palmetto 800 radio system by combining funding resources. If the FCC were to allow utilities to expand into the 700 MHz Public Safety broadband spectrum, our agency and other users of the Palmetto 800 radio system would be able to continue and expand this mutually beneficial relationship and achieve even greater cost savings.

The Palmetto 800 radio system has addressed the issue of priority access by adopting a priority access plan for widespread emergencies when large number of public safety and private utilities need to access the shared system to respond. Each participating agency divides its talk groups into priority levels: High, Medium and Low. During a disaster, High priority talkgroups would access voice channels first, with the High priority levels reserved for public safety and utility dispatch. Individual agencies must maintain a ratio of one talkgroup for every 25 radios. Talkgroups that do not meet that ratio must seek approval from the Advisory Committee made up of users of the of the Palmetto 800 system. Each user agency must develop essential operation plans for disasters, requiring the agency to reduce its talk group loading to a one-to-fifty ratio or better and to restrict operations to only those that are essential.

The Palmetto 800 radio system is a prime example of state and local governments, public safety agencies, and utility entities working together to share spectrum and assets in order to implement a statewide, interoperable communications network on a cost-shared basis. While the Palmetto 800 radio system has worked well so far, the continued migration of this shared public safety-private partnership to next generation broadband technologies would be greatly enhanced by the ability of SCANA to share frequencies currently reserved for public safety users in the 700 MHz band.

The cooperative approach to building and maintaining the Palmetto 800 radio system has enabled our agency to make more efficient use of spectrum and to foster new working relationships with other state agencies. In order to continue and expand the existing synergies and close working relationship between SCANA and our agency and evolve to next generation broadband systems, we strongly urge the FCC to declare the utilities are allowed to share 700 MHz Public Safety broadband spectrum.

Very truly yours,



Ann A. Colbert
Assistant Special Agent in Charge

Federal Bureau of Investigation, Columbia Division