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Via Electronic Filing

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

Re: Ex Parte Notice, Docket No. PS 06-229

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 1.1200, *et seq.*, Harris Corporation (“Harris”) hereby notifies the Federal Communications Commission (“Commission”) of the following ex parte communication in the above-referenced proceeding. On May 12, 2011, on behalf of Harris, Mr. Steve Marschilok, Dr. Dennis Martinez, Ms. Tania Hanna, and Mr. Patrick Sullivan (“Harris representatives”) held a telephonic conference call with: Ms. Jennifer Manner and Mr. Gene Fullano of the Public Safety and Homeland Security Bureau.

In the call, Harris noted concerns regarding the grant of the waiver petition filed by the State of Texas (“Texas”) to deploy a statewide public safety wireless broadband network in the 700 MHz public safety broadband spectrum.¹ Harris representatives expressed concerns that the Texas Waiver Order was granted in large part “to preserve the specific funding availability identified for its constituent jurisdiction, Harris County, [Texas] which has secured \$10 million in federal funding that must be expended or encumbered by June 30, 2011.”² Harris stated it would have preferred that the Commission grant the waiver first to Harris County, Texas, rather than to the State of Texas at large. Harris noted that the Commission has a precedent of granting waivers to cities and counties as well as states.

Harris also stated that, while Harris County, Texas is building a public safety communications system using Federal funds, it did not engage in a competitive process in awarding those funds for building the public safety network. Further, Harris representatives noted that Congress is concerned with a pattern where the market leader in this space is awarded contracts based upon the very sole sourcing practices in which Harris County, Texas engaged.

¹ See In the Matter of Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket No. 06-229, *Order Granting the State of Texas Petition for Early Deployment of a Statewide Public Safety Wireless Broadband Network in the 700 MHz Public Safety Broadband Spectrum* (May 12, 2011) (“Texas Waiver Order”).

² *Id.* at 1.

Finally, Harris noted that the statement “...we also expect that constituent jurisdictions will work with the state to minimize duplicative expenses and facilities where appropriate, in order to limit the need for multiple system identifiers or other impediments to interoperability” inadvertently implies a statewide mandate to build a network with the same technologies included in a local core network. Harris made clear that such an interpretation may result in increased network buildout and operational costs from lack of competition as the state contemplates construction across all 256 counties that comprise the state. These assertions were followed by a question and answer session led by Commission staff.

Respectfully submitted,

/s/

Patrick Sullivan
Government Relations
Harris Corporation