

**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)	
)	
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)	

**COMMENTS OF CASSIDIAN COMMUNICATIONS, INC.,
AN EADS NORTH AMERICA COMPANY
TO DA 11-059,
PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON
PETITION FOR DECLARATORY RULING ASKING TO CLARIFY LANGUAGE IN
ORDER GRANTING 700 MHZ PUBLIC SAFETY BROADBAND WAIVER TO THE
STATE OF TEXAS**

Cassidian Communications, Inc., an EADS North America Company, (“Cassidian”) submits the following comments in response to the Federal Communications Commission’s (“Commission”) request for comments in the above captioned proceeding regarding the Petition for Clarification filed by Harris Corporation (Harris) on May 26, 2011.¹

Cassidian reviewed the Commission’s May 12, 2011, Order, *Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks in Docket*, PS 06-229 (“Texas Waiver Order”) and the Commission’s Public Notice and request for comments, DA 11-1059, dated June 15,

¹ Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket No. 06-229, Petition for Clarification of 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, filed may 26, 2011 (“Harris Petition”). The Commission notes in DA 11-1059 that Harris’ “Petition for Clarification,” will be” treated as a request for declaratory ruling filed under Section 1.2 of Commission rules. See 47 C.F.R. § 1.2.”

2011.² Cassidian agrees with Harris that clarification of the *Texas Waiver Order* is warranted.³

In the *Texas Waiver Order*, Article III(C), paragraph 16, Cassidian shares Harris' concern regarding the Commission's 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." Cassidian is confident the Commission is emphasizing the Commission's desire for the state to practice its role as the "...statewide authority..." and to "...continue to cooperate fully with its constituent jurisdictions to ensure that any deployments by constituent jurisdictions not only adhere to the Commission's requirements, but also conform to a statewide plan for deployment" and not imply any particular procurement or deployment schemes "...with the same vendor-specific technologies included in a local core network" as Harris states.

Cassidian as a manufacturer of public safety devices and networks believes the PSHSB had no intention in the language of the *Texas Waiver Order* of suggesting any practice of sole sourcing public safety networks by other public safety entities. Further, we urge the PSHSB to clarify that the language in the *Texas Waiver Order* does not require or imply any procurement model in building an interoperable broadband public safety network.

² Public Safety and Homeland Security Bureau Seeks Comment on Petition for Declaratory Ruling Asking to Clarify Language in Order Granting 700 MHz Public Safety Broadband Waiver to the State of Texas, DA 11-1059, PS Docket No. 06-229, June 15, 2011.

³ 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").

Cassidian is pleased to be among manufacturers working in a competitive environment to develop innovative mission critical public safety capabilities to be deployed for the national, regional, and tribal LTE networks to meet the requirements of the PSBN as developed by the FCC ERIC, NIST, NPSTC, and other entities. Cassidian respectfully urges the PSHSB to clarify its statements in the *Texas Waiver Order* pursuant to Harris' Petition.

Respectfully submitted,

CASSIDIAN COMMUNICATIONS, INC.

By: ___/s/_____

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