

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Requests for Waiver of Various Petitioners	)	PS Docket No. 12-94
to Allow the Establishment of 700 MHz	)	PS Docket No. 06-229
Interoperable Public Safety Wireless	)	
Broadband Networks	)	

To: Chief, Public Safety and Homeland Security Bureau

**COMMENTS OF THE LOS ANGELES REGIONAL INTEROPERABLE  
COMMUNICATIONS SYSTEM**

On February 22, 2012, the Middle Class Tax Relief and Job Creation Act of 2012 (“Spectrum Act”) became law. The Spectrum Act directed the Federal Communications Commission (“Commission”) to take all actions necessary to facilitate the transition of the existing public safety broadband spectrum to FirstNet. The Los Angeles Regional Interoperable Communications System (“LA-RICS”) project staff offers these comments in response to the Commission’s Request for Comment on the transition process for 700 MHz public safety broadband Waiver Recipients.

**I. INTRODUCTION**

On May 11, 2010, the LA-RICS Joint Powers Authority (“Authority”) was granted a waiver to operate a broadband network using the public safety broadband spectrum.<sup>1</sup> On July 30, 2010, the LA-RICS Authority executed a long-term *de facto* lease with the Public Safety Spectrum Trust (“PSST”) for use of the public safety spectrum. After execution of the PSST lease, the LA-RICS Authority applied for and was granted \$154.6 million in Broadband

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<sup>1</sup> Request for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket 06-229, 25 FCC Rcd 5145 (2010) (Waiver Order).

Technology Opportunities Program (“BTOP”) stimulus grant funds for the deployment of a public safety LTE broadband network in the Los Angeles region.

LA-RICS has a substantial interest in transitioning the Waiver granted by the Commission and lease agreement to FirstNet with an additional lease term to allow LA-RICS to continue its efforts and avoid irreparable harm. LA-RICS has spent extensive time and resources to plan and develop a public safety broadband network in the Los Angeles area consistent with the Commission’s goals and the Spectrum Act’s intent to deploy an interoperable nationwide broadband network for public safety.

**II. THE COMMISSION SHOULD EXTEND THE LA-RICS WAIVER AND TRANSITION THE EXISTING LEASE WITH A RENEWED TERM TO FIRSTNET AS PART OF THE TRANSITION PROCESS.**

The Commission has full authority to continue the waivers and extend the lease as such actions are imperative in the transitioning of the public safety broadband spectrum to FirstNet and consistent with the Spectrum Act. LA-RICS urges the Commission to take action for a seamless transition as it is in the public interest and FirstNet’s interest to gain invaluable insight and experience from the continuance of the LA-RICS project.

Interoperable voice and data communication is the greatest emergency preparedness and homeland security need in the Los Angeles region, and LA-RICS is the largest project of its kind in the nation. LA-RICS will connect more than 50 law enforcement agencies and 31 fire departments, as well as health, transportation, and education agencies, throughout a 4,084 square mile area. The LA-RICS project is critical to 34,000 first responders in the Los Angeles region and will provide direct interoperable communications between local law enforcement, fire, and emergency medical services personnel and other Federal and State first responders during a major, multi-agency incident, such as an earthquake, flood, wildfire, or terror-related event.

The LA-RICS project will provide FirstNet with a wealth of information in planning, designing, deploying and operating a network within a region that spans over 4,084 miles of widely diverse mountains, deserts, coastlines and urban areas with a population of 10 million residents. In the past two years, the LA-RICS Authority, which represents over 86 member agencies, has supported the Commission's efforts in deploying a public safety broadband network for first responders. LA-RICS has taken significant steps in moving the project forward, including:

- Successfully applied for \$154.6 million in stimulus BTOP grant funding;
- Executed a contract for environmental documentation services for 255 LTE sites and preparing analyses and technical reports for each site in compliance with State and Federal environmental requirements;
- Executed a project and construction management contract for oversight in constructing and deploying a broadband system of 255 sites within the Los Angeles region;
- Developed timelines and preliminary design plans of a public safety broadband network that meets the operational needs of the 34,000 first responders in the Los Angeles area;
- Developed thorough and rigorous procurement process for the review and evaluation of vendor proposals;
- Generated enthusiasm and support from public safety agencies, local jurisdictions and elected officials; and
- Initiated efforts by LA-RICS Authority member agencies to upgrade portions of the backhaul infrastructure to support the broadband network.

These lessons learned only scratch the surface of what is to come if LA-RICS is allowed to continue its implementation. Real-world network operations in public safety scenarios will

provide the Waiver Recipients and FirstNet with invaluable information. For example, network usage and use scenarios will provide important insight on the types of applications to be used, their requirements, and how public safety use, on a day-to-day and incident basis, impacts secondary capacity on the nationwide network. It will also provide tremendous insight with regards to devices and applications needed to stimulate adoption of the FirstNet services. Fundamentally, these operational efforts will provide tremendous insights to what it will take for FirstNet to be successful. It's critical that FirstNet learn these lessons early in advance of nationwide deployments. While FirstNet could obtain similar information with phased deployments, LA-RICS and other Waiver Recipients could obtain the information more rapidly and minimize risks to FirstNet if permitted to proceed without delay.

Additionally, the Commission should make clear that the Leases cover both the existing 10 MHz of spectrum licensed to the PSST under station WQHW226, as well as the additional 10 MHz of spectrum that Congress has allocated for the nationwide public safety broadband network ("NPSBN").

Furthermore, as highlighted by the Commission in the Waiver Order, LA-RICS believes that the public's interest is served by allowing Waiver Recipients to immediately begin deployment and provide services to stakeholders:

"We find that we may still advance the goal of nationwide interoperability by granting the waiver requests with appropriate conditions. In this regard, we note that our recent decision to establish the Emergency Response Interoperability Center ("ERIC") will promote appropriate technical requirements that will ensure interoperability for these early deployments from their inception, as well as for any future deployed networks. Moreover, the public interest is served by allowing jurisdictions to begin deployment and speed services to the public safety community. This will also allow Petitioners to take advantage of available or potential funding, either through grants or planned budgetary expenditures, as well as to take advantage of economies of scale and other cost saving measures for deployments that are already planned. In addition, Petitioners could benefit from the announced plans of some commercial carriers to begin construction of LTE-

based networks this year and early next year, which would result in significant cost-savings.”<sup>2</sup>

Moreover, the conditions and technical requirements already set in place by the Commission in the Waiver Order and subsequent orders, such as the interoperability showings, will help ensure that deployments will be interoperable with FirstNet, a goal that have been consistent since the Waivers were issued in May 2010. Waiver Recipients will continue to be compliant with future requirements issued by FirstNet or the Commission.

By continuing the Waiver and Lease, LA-RICS will provide FirstNet with valuable lessons learned in planning, deployment and operations while utilize existing funds that has been awarded and planned for the project. This information will be highly beneficial to FirstNet as it will minimize risks in deploying the larger nationwide network.

### **III. LA-RICS WILL EXPERIENCE SIGNIFICANT HARM IF THE COMMISSION ISSUES A STAY TO HALT THE WAIVER OR ALLOW THE PSST LEASE AGREEMENTS TO EXPIRE**

The Commission should consider the irreparable harm it will cause LA-RICS if it does not seamlessly transfer the Waiver and Leases to FirstNet. If the Waiver and Lease agreements are not extended, LA-RICS will be in jeopardy of losing \$154.6 million of stimulus BTOP funding since a material condition of the grant award is the existing waiver and lease for access to the public safety spectrum. In fact, the other seven public safety BTOP grant recipients share the same concern as to the harm and consequences of grant termination if the Waivers and Leases are not transferred to FirstNet.

In addition, if LA-RICS is not granted an extension of the Waiver and Lease in the transition process, a significant disruption to existing commitments and contractual obligations will occur which will endanger the entire LA-RICS public safety broadband project. LA-RICS

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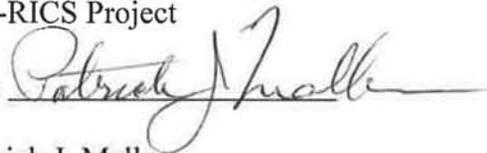
<sup>2</sup> See *Waiver Order* at 14.

has already executed contracts for services related to the public safety broadband network in order to meet its current deadlines for deploying a public safety broadband network in the Los Angeles area. Contractors have been diligently moving the project forward and delays will impede the ongoing progress. In this regard, the Commission should consider the irreparable harm it will cause LA-RICS if it does not seamlessly transfer the Waiver and Leases to FirstNet.

#### **IV. CONCLUSION**

The Commission should take action in accordance with the comments set forth above, to continue the LA-RICS Waiver and extend the PSST Leases as part of the transition of the spectrum to FirstNet. LA-RICS will provide a foundation for the future success of FirstNet by becoming the First Phase of the NPSBN and providing FirstNet with insight to key issues that will arise in deploying the greater NPSBN.

Respectfully submitted,  
LA-RICS Project

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