



COMMONWEALTH of VIRGINIA

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April 27, 2012

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

RE: RM-11433

Public Safety and Homeland Security Bureau Seeks Comment on Petition for Waiver of Rules Filed by the State of Maryland Requesting Permission to Operate Air-to-Ground Radio Equipment in 700 MHz Secondary Trunking Channels

Dear Ms. Dortch:

The Commonwealth of Virginia wishes to submit a Comment in specific support regarding the Petition for Waiver referenced above, as filed by our neighbor, the State of Maryland. In the above referenced Maryland Petition, the State (Maryland) as we understand it, seeks authority to utilize unused 700 MHz radio channels, currently identified as “secondary trunking channels” in support of law enforcement, emergency medical services (“EMS”), and other public safety operations. To that degree the Commonwealth is in support of the State of Maryland’s request. We predicate our support on the basis that the requested waiver assignments would strictly operate on channels/frequencies that are designated for 700 MHz secondary trunking. We support this conceptually because it would not interfere with primary 700 MHz State assignments with which the Commonwealth and its local partners are heavily invested.

Given the likelihood of a very large coverage area while operating in the air, we advocate that the use of this spectrum for Air-to-Ground operations be used in an itinerant (non continuous) manner or in a way that promotes best practices within spectrum management.

Furthermore we suggest above ground level (AGL) and RF (radio frequency) output power restrictions so as to minimize impacts to all neighboring states and jurisdictions. Moreover we believe that this concept could be successfully used in the Commonwealth of Virginia as well as other states within the Union with favorable outcomes. However we are not saying that we support Air-to-Ground operations outside the scope of this waiver request or on 700 MHz primary assignments—be they ‘State’ or ‘General’ use spectrum.

We stand with the State of Maryland in that the approval of this request would serve the overall public interest and urge the Commission to promptly approve the State of Maryland’s request.

Respectfully submitted,

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