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May 7, 2012

Michael A. Lewis
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Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Presentation
PS Docket No. 12-94

Dear Ms. Dortch:

On May 3, 2012, representatives from Motorola Solutions, Inc. (“MSI”) met with staff from the Public Safety and Homeland Security Bureau (“PSHSB”) to discuss the implementation of the Middle Class Tax Relief and Job Creation Act of 2012 (“Spectrum Act”). Participating in the meeting were Cathy Seidel from MSI as well as Bennett Ross and myself from Wiley Rein, LLP. We met with Jennifer Manner, Gene Fullano, Erica Olsen and Bryan Hurley.

During this meeting, MSI reiterated the positions contained in its recently filed comments in PS Docket No. 12-94.¹ In general, MSI expressed the fundamental view that the Spectrum Act does not disturb the FCC’s broad authority over spectrum, including the 700 MHz Public Safety Broadband and D Block spectrum. This authority includes the full range of typical FCC powers and responsibility for licensing spectrum, such as adopting service rules, imposing licensing conditions, and granting waivers. This authority allows the FCC to extend the existing waivers that it has issued to various state and local jurisdictions to deploy broadband networks on the 700 MHz public safety broadband spectrum and to also consider granting additional waiver requests that are now pending.

In addition, MSI noted that Section 6201 of Spectrum Act directs the FCC to “take all actions necessary to facilitate the transition of the existing public safety broadband spectrum” to the newly created First Responder Network Authority (“FirstNet”) that the Spectrum Act establishes as an independent organization under the National Telecommunications and Information Administration (“NTIA”). MSI believes this Congressional mandate is sufficiently broad that it permits the Commission to continue its current waiver policies while FirstNet becomes fully

¹ Comments of Motorola Solutions Inc., PS Docket No. 12-94, submitted April 20, 2012.



Marlene S. Dortch
May 7, 2012
Page 2

operational and is able to fulfill its role to oversee the development and construction of a nationwide public safety broadband network. MSI also expressed its view that the early deployment networks will be fully interoperable with FirstNet's nationwide broadband network given their reliance and utilization of technology fully consistent with commercial standards developed by 3GPP.

This notification is submitted in accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206. Please let me know if there are any questions about this submission.

Sincerely,

/s/ Michael A. Lewis

Michael A. Lewis
Engineering Consultant
Wiley Rein LLP
Counsel for Motorola Solutions, Inc.

Electronic CC: FCC Meeting Participants