



1776 K STREET NW
WASHINGTON, DC 20006
PHONE 202.719.7000
FAX 202.719.7049

7925 JONES BRANCH DRIVE
MCLEAN, VA 22102
PHONE 703.905.2800
FAX 703.905.2820

www.wileyrein.com

May 11, 2012

Bennett L. Ross
202.719.7524
bross@wileyrein.com

VIA ELECTRONIC FILING

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

Re: *Public Safety and Homeland Security Bureau Seeks Comment on Transition Process For 700 MHz Public Safety Broadband Waiver Recipients, PS Docket No. 12-94*

Dear Ms. Dortch:

On May 9, 2012, Cathy Scidel with Motorola Solutions, Inc. ("MSI") and the undersigned, as counsel to MSI, met with Julie Veach, Sean Lev, David Horowitz, and Bill Richardson with the Office of General Counsel in connection with the above-referenced proceeding.

During this meeting, MSI addressed the Commission's broad legal authority 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. MSI reiterated its 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.

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 operational and is able to fulfill its role to oversee the development and construction of a nationwide public safety broadband network.

Marlene H. Dortch

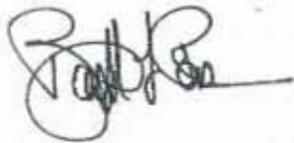
May 11, 2012

Page 2

MSI also discussed the negative consequences that would inevitably result from any decision not to permit these public safety network deployments to proceed – including loss of the substantial financial resources already committed to the projects, the inability of the Commission and FirstNet to observe the issues that may arise for public safety in connection with a network build out, and the loss of available infrastructure that FirstNet would otherwise be able to leverage in deploying the national public safety broadband network. MSI also expressed its view that the risks of allowing these deployments to proceed were minimal, particularly when 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.

Pursuant to 47 C.F.R. § 1.1206, please include this ex parte filing in the above-referenced dockets.

Sincerely yours,



Bennett L. Ross

cc: Julie Veach
Sean Lev
David Horowitz
William Richardson