

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20553**

Recommendations of the Technical Advisory Board for First Responder Interoperability) PS Docket 12-74
Board for First Responder Interoperability)

**COMMENTS OF THE BAYRICS AUTHORITY ON THE RECOMMENDATIONS OF THE
TECHNICAL ADVISORY BOARD FOR FIRST RESPONDER INTEROPERABILITY**

The Bay Area Regional Interoperable Communications Systems Authority ("BayRICS Authority") hereby comments on the captioned report dated May 22, 2012.¹ On April 23rd, BayRICS Authority placed in the docket comments filed in April 2011 on many of the topics embraced by the TAB Report.²

As the anticipated beneficiary of a waiver and attendant lease rights for early construction of a 700 MHz public safety broadband network in its region,³ BayRICS Authority commends the Technical Advisory Board for First Responder Interoperability ("TAB") for its quick and comprehensive work to issue the TAB Report within the statutory deadline. The TAB Report is particularly notable for its description, at Section 2.2, of the composition of the Board, the assignments taken on by Board members, and the process followed in reaching conclusions. In

¹ Public Notice, DA 12-811, released May 23, 2012, hereafter "TAB Report."

² Comments of the San Francisco Bay Area in Response to the Commission's Third Report and Order and Fourth Further Notice of Proposed Rulemaking ("4th FNPRM"), Docket 06-229, 06-150.

³ Bay Area Cities' Request for Waiver, December 23, 2011, Docket 06-229

keeping with a careful attention to the statutory scope of the Board, the TAB Report, at Section 3.3, distinguishes recommended “requirements” from “considerations” and uses the dichotomy helpfully at Sections 1.3 and 1.4 of the Executive Summary.

BayRICS Authority also applauds and endorses the TAB Report’s references to, and allowances for, its work and that of 20 other waiver grantees.⁴ Notable in this regard is Section 3.3.1, extracted below:

The first assumption was made to ensure that the final architecture of the NPSBN was reflective of FirstNet’s deployment plans. Accordingly, the board’s recommendations reflect the possibility that the NPSBN could consist of either a homogenous or heterogeneous network architecture. The board’s assumption of the possibility for a heterogeneous network architecture was based on the Spectrum Act’s requirement for FirstNet to leverage interim existing federal, state, tribal, and local infrastructure —to the maximum extent economically desirable.

Later in the TAB Report, at Section 4.1.4, citing Section 6206(c)(3) of the Middle Class Tax Relief and Job Creation Act of 2012 (“Spectrum Act”)⁵, appears this further explanation:

The Interoperability Board concluded that this stipulation may require the First Responder Network Authority under section 6206(b), Duty and Responsibility to Deploy and Operate a Nationwide Public Safety Broadband Network, to consider leveraging existing infrastructure. In accordance with this conclusion, reference configurations in which existing infrastructure elements (such as the Waiver systems deployed under FCC Order 10-79) deployed prior to the instantiation of the FirstNet Authority can be leveraged into the NPSBN, while meeting the requirements for interoperability, are described herein.

Given the extremely short comment period and comprehensive nature of the TAB Report, the BayRICS Authority has been unable to properly review and evaluate each and every conclusion and recommendation of the report. However, our limited review of the TAB Report

⁴ For a review of the accomplishments of the BayWEB to date, see Comments of San Francisco and BayRICS, Docket 12-74, April 20, 2012.

⁵ Public Law 112-96, 126 Stat. 156 (2012).

