

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of:

Implementation of Sections 309(j) and 337 of)	
the Communications Act of 1934 as Amended;)	
Promotion of)	WT 99-87
Spectrum Efficient Technologies on Certain)	
Part 90 Frequencies)	

COMMENTS OF HARRIS CORPORATION

Harris Corporation (Harris) respectfully submits these comments in response to the Commission’s notice for comment on the request of the Telecommunications Industry Association (TIA), filed on May 21, 2012,¹ seeking clarification and/or declaratory ruling regarding the April 26, 2012 Order of the Wireless Telecommunications Bureau, Public Safety and Homeland Security Bureau and Office of Engineering and Technology that partially waived the Commission’s January 1, 2013 deadline requiring private land mobile radio licensees in the 150-174 MHz and 450-512 MHz bands to operate using channel bandwidth of no more than 12.5 kHz or equivalent efficiency.²

¹ See Telecommunications Industry Association Petition for Clarification and/or Declaratory Ruling (filed May 21, 2012) (TIA Petition); see also Public Notice, Wireless Telecommunications Bureau, Public Safety And Homeland Security Bureau And Office Of Engineering And Technology Seek Comment On Telecommunications Industry Association Petition For Clarification and/or Declaratory Ruling Regarding Order Waiving The January 1, 2013 Vhf-Uhf Narrowbanding Deadline (Rel. Jun. 13, 2012) (Notice of TIA Petition).

² See Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended; Promotion of Spectrum Efficient Technologies on Certain Part 90 Frequencies, *Order*, WT Docket No. 99-87, RM-9332, DA 12-642 (rel. Apr. 26, 2012) (April 26, 2012 Order).

The Commission, in the request for Comment notes that in TIA's view, the April 26, 2012 Order is ambiguous regarding the extent to which it waives the ban on the inclusion of 25 kHz technology for the T-Band in new equipment, and may lead to confusion.³ The Commission sought comments evaluating the petition for clarification and/or declaratory ruling.⁴ Specifically, the Commission directed commenters to address the conditions under which equipment authorizations should be granted for equipment capable of wideband operation in the T-band.⁵

I. Harris Believes Analysis Of The T-Band Licensees' Operational Situation In Light Of Waiving The Narrowband Mandate For All T-Band Licensees Strongly Supports The Commission Issuing The Requested Clarification.

As a result of the Commission's Order waiving the mandate for T-Band licensees to migrate to 12.5 kHz efficient technologies, there will be demand for equipment availability incorporating 25 kHz technologies for the foreseeable future - possibly for the next 10 to 11 years. Current T-Band licensees who will not migrate to 12.5 kHz technologies before they migrate out of T-Band will need to replace, and possibly upgrade, equipment capabilities for a number of years to come. Such replacement equipment will require the inclusion of 25 kHz technologies in order for such licensees to maintain operational capabilities. Furthermore, licensees outside of T-Band who have a need to interoperate with T-Band licensees on a far too frequent incident basis will also need to have equipment with 25 kHz technologies implemented in T-Band available for many years to come.

The current ban on the inclusion of 25 kHz technologies in applications for equipment certification in the Part 90 spectrum below 512 MHz essentially negates current T-Band

³ See Notice of TIA Petition at 2.

⁴ See *id.*

⁵ See *id.*

licensees' access to the latest technology trends. Furthermore, the practice of eliminating 25 kHz technologies from most equipment grants that are based on certification applications prior to January 1, 2011, if such grants are "modified" after January 1, 2011, will only exacerbate the problem of equipment availability with 25 kHz technologies. The net effect will be a significantly reduced number of grants with 25 kHz technologies in the 470-512 MHz spectrum existing with each passing year and an increased likelihood that no such grants will exist before the actual migration of all T-Band licensees is complete. Even though the Commission indicated Class 2 Permissive Changes to include 25 kHz technologies in existing grants may be possible, such possibility does not provide the certainty needed for manufacturers to properly plan; does not provide any degree of certainty to licensees that needed equipment will be available until such time as the migration is complete and most assuredly indicates T-Band licensees will not have access to the latest technologies because Class 2 Permissive Changes are not available to non-existent equipment grants.

While the Commission has waived the ban against the manufacture of equipment for the 470-512 MHz with 25 kHz technologies beyond January 1, 2013, such waiver presumes there is an underlying equipment grant with 25 kHz technologies allowed in the 470-512 MHz spectrum. If, however, 25 kHz technologies are removed from grants as a result of other post-January 1, 2011 modifications to the grants, there will be no underlying grants authorizing the inclusion of 25 kHz technologies in equipment sold to T-Band licensees. Such a situation probably defeats the Commission's purpose in authorizing the continued manufacture and import of equipment for the 470-512 MHz band containing 25 kHz technologies after the January 1, 2013 deadline

In today's world of multi-band, multi-technology equipment, allowance of 25 kHz technologies in the 470-512 MHz portion of equipment certification applications likely eases the

burden and cost associated with the subsequent migration now faced by all T-Band licensees. Allowing the inclusion of 25 kHz technologies in the 470 -512 MHz portion of multi-band, multi-technology radio equipment allows manufacturers to develop and provide equipment satisfying the current operational needs of T-Band licensees who will not narrowband before migrating as well as providing such licensees with equipment that can meet the licensee's future needs after migrating.

The foregoing operational realities faced by all T-Band licensees as a result of the April 26, 2012 Order's lack of clear waiver of the ban on the inclusion of 25 kHz technologies in the 470-512 MHz spectrum in all applications for equipment certification for so long as T-Band licensees are not required to migrate to 12.5 kHz efficient technologies appear to be contrary to the public interest. As such, Harris believes the TIA petition establishes sufficient basis for the Commission to issue the requested clarification.

II. Conclusion.

Allowing 25 kHz technologies in all applications for equipment certification in the 470-512 MHz spectrum is most assuredly in the public interest. Not allowing 25 kHz technologies in all applications for equipment certification in the 470-512 MHz spectrum, despite other measures taken by the Commission in the April 26, 2012 Order (e.g., allowing continued manufacture of 470-512 MHz equipment with 25 kHz technologies after January 1, 2013) will likely result in reduced operational capability for all T-Band licensees due to the eventual non-availability of compatible equipment. At least as important, if not more so, not allowing 25 kHz technologies in all applications for equipment certification in the 470-512 MHz spectrum will negatively impact interoperability between T-Band licensees as well as negatively impacting interoperability with other non T-Band licensees who need to interoperate during incidents of varying severity.

