

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

**Comment**

The National Regional Planning Council (NRPC) respectfully files these comments in support of the Regional Wireless Cooperative and the Region 3 700 MHz Regional Planning Committee Petition for Rulemaking filed with the Commission on March 21, 2012. The NRPC supports the Region 3 700 MHz Regional Planning Committee and its regional partners in acknowledging the impact of Rule 90.535d (2)(3) on the Arizona public safety community and the suggestions they provide the Commission to ensure the preservation of existing, established interoperable communications in Arizona while continuing to utilize public safety 700 MHz spectrum in an efficient manner. While the utilization of spectrum in the most efficient manner possible is always paramount, we feel the filing by the Regional Wireless Cooperative strikes the proper balance between the practical, cost effective application of public safety spectrum as required while ensuring that spectrum is also available for new entities seeking use of the spectrum.

The Petitioners have shown that they currently utilize spectrum efficiently and there are no instances where a lack of spectrum availability has occurred due to current 12.5 KHz allocation by the regional planning committee or its equivalent. Secondly, the Petitioners have also provided considerable evidence that the anticipated public safety equipment life cycle for equipment utilizing 700 MHz spectrum currently in use is in conflict with the transition dates associated with Rule 90.535d(2)(3) and the 6.25 KHz voice path equivalency values called out in 90.535d(2)(3). In addition, while the petitioners indicate they feel that a transition to 6.25 KHz efficiencies per voice path should be managed at the regional level by

the Regional Planning Committees as they are most in tune with 700 MHz narrowband and 800 MHz public safety spectrum needs in their communities, the NRPC instead supports the Commission establishing a new, tiered 6.25 KHz transition deadline with dates for NEW users to begin utilizing 6.25 KHz efficiencies per voice path of January 1, 2020 and ALL users required to meet such efficiencies no later than January 1, 2022. Such a transition schedule takes into consideration the 30 month delay that occurred in the Digital Television Transition and ensures public safety agencies can meet their projected life cycle of current equipment since only recently has TDMA capable equipment become available and the Project 25 Phase 2 standard, while progressing, has yet to mature in the public safety marketplace. Lastly, Middle Class Tax Relief legislation signed by President Obama also impacts the concept of efficiencies with the use of 700 MHz narrowband spectrum and as it potentially makes 700 MHz narrowband spectrum available for aggregation in the support of broadband public safety applications use so this must also be taken into consideration when considering overall utilization and obtaining spectrum efficiencies in this particular band.

## **The National Regional Planning Council**

The National Regional planning Council (NRPC) is an advocacy body formed in 2007 that supports public safety communications spectrum management by Regional Planning Committees (RPC) in the 700 MHz and 800 MHz NPSPAC public safety spectrum as required by the Federal Communications Commission. We liaison with FCC certified frequency coordinators, licensees, applicants, vendors, adjacent regions as well as the Commission on a regular basis to ensure our planning responsibilities and the goals of those first responder agencies we serve are met. These Regional Planning Committees are made up of public safety volunteer members that dedicate their time, in addition to the time spent on their regular positions, to coordinate spectrum efficiently and effectively for the purpose of making it available to public safety agency applicants in their region. The work these people do reflects their dedication to public safety communications and to ensuring local public safety agencies and user needs are heard and met within their regions and beyond.

As a body that advocates the *voice* of regional planning committees and one that does not attempt to consolidate and centralize that voice into a single message, we encourage each region planning committee to voice their own opinions and speak to the Commission in filings and comments as best they can with the intimate knowledge they have as to initiatives in place and impacted within their own regions. Subsequently, the NRPC does not in this Petition for Rulemaking speak for each individual regional planning committee but recent national regional planning meetings highlighted specifically the need for these issues to be addressed by the Commission and a unanimous vote on the issues by the members in attendance indicated that this filing with the Commission was requested. We are hopeful that each regional planning committee will respond in our filing of this petition on their own behalf bringing their own viewpoints into consideration. We encourage each region to do so.

The NRPC is on record in support of the Commission extending the deadlines identified within Rule 90.535d(2)(3) in Docket 06-229 as Reply Comments in the Commission's request for comment on flexible use of 700 MHz narrowband spectrum for broadband applications.

## Discussion

### **1. Petitioners utilize spectrum efficiently today with no lack of spectrum or inability to meet applicant needs.**

The petitioners today utilize 700 MHz narrowband spectrum in an efficient manner while meeting the needs of the applicants. They have demonstrated regional cooperation in the sharing of radio system assets and the development of partnerships that support interoperable communications between and within disciplines and agencies.

There is no contention for existing channels within the region nor are there any applicants that are not able to obtain the spectrum they need. Subsequently, one of the drivers for 6.25 KHz per voice path migration or its equivalent, the premise of meeting the capacity needs of users, has already been met.

The Region also indicates that while it has planned for eventual 6.25 KHz efficiencies within its regional network, the January 1, 2017 migration date is burdensome both logistically and fiscally to users of the regional network. The National Regional Planning Council support the Regional Wireless Cooperative's request to extend the 6.25 KHz migration date to a date that better reflects the need for such efficiencies recognizing the cost and logistics associated with such change to the region.

### **2. Equipment life cycle expectations can be diminished by the current 6.25 KHz 700 MHz narrowband requirements in Region 3 due to the lack of TDMA capable equipment only being available in the last few years.**

The Region 3 petition requests an extension to the January 1, 2017 migration date that requires 6.25 kHz voice efficiencies in the 700 MHz narrowband spectrum pursuant to 90.535d(2)(3). Time Division Multiple Access (TDMA) technologies are one of the methods used to reach 6.25 KHz efficiencies and

the Project 25 standards process utilizes TDMA solutions in its Project 25 Phase II TDMA Two Slot Solution in a 12.5 KHz channel. While the Phase II standard has recently been finalized, its use is not yet widespread and a Phase II testing process is not yet in place to ensure the Phase II standard's compliance and interoperability elements. Subsequently, the petitioners face challenges in convincing current system owners that the migration to 6.25 KHz efficiencies, and the additional cost resulting from it, will not contribute to an environment less interoperable than the one currently in place.

The Petitioner's filing indicates the majority of the petitioner's trunked public safety equipment in use today is not TDMA capable at either the fixed infrastructure or subscriber level, which will require equipment to be replaced rather than be upgraded to accommodate TDMA technologies and 6.25 KHz equivalencies.

**3. Regional Planning Committees should not be required to determine when a region needs to migrate to 6.25 kHz efficiencies but the Commission should set a new 6.25 KHz migration date for the 700 MHz narrowband spectrum of January 1 , 2022**

While the National Regional Planning Council supports the Petitioners in their request for an extension of the Commission's 6.25 KHz migration deadline for the 700 MHz narrowband spectrum from 769-775 MHz/799-805 MHz, we do not feel that the 700 MHz regional planning committee's in each region throughout the nation should be put in the position of determining when a region should require its user agencies to migrate to 6.25 KHz efficiencies. Such migrations have significant cost implications that would be difficult for regional planning committees, largely made up of volunteer spectrum managers employed within the public safety community in that respective region, to enforce.

Subsequently, we feel that the Commission should establish a new deadline for migration to 6.25 KHz voice equivalencies that better reflect today's existing non-TDMA equipment life cycles in public safety and one that takes into consideration both Project 25 Phase II development and how the maturation of the developed standard operates with existing Phase I standard technologies. The reality is that large system migrations, such as those of the Petitioners, will have to accommodate Phase 1 FDMA and Phase II TDMA technologies as they migrate to complete 6.25 KHz efficiencies over time. Any new deadline established by the Commission should consider the compatibility and effectiveness of both technologies as they both will co-exist in 700 MHz systems for years to come.

#### **4. Potential flexible use of 700 MHz NB spectrum for broadband should be taken into consideration when considering spectrum efficiency deadlines in public safety 700 MHz Narrowband Spectrum**

The Middle Class Tax Relief legislation signed by president Obama this spring allows for flexible use of 700 MHz narrowband spectrum for public safety broadband use. This flexible use could enable broadband technologies and efficiencies that dwarf anticipated land mobile voice spectrum efficiencies of 6.25 KHz per voice path in addition to broadband data applications such as video.

Since flexible use of the narrowband spectrum is permitted, the NRPC feels the Commission should take broadband technology efficiencies, impacting both voice and data applications, into account when developing deadlines for 700 MHz narrowband voice efficiencies since the future of this spectrum may be utilized in both broadband and narrowband applications and both implementations vary widely in the resulting efficiencies and beneficial public safety applications.

#### **Conclusion**

The NRPC supports the Regional Wireless Cooperative's Petition for Rulemaking to modify the mandatory transition deadline for 700 MHz narrowband

related to 6.25 KHz efficiencies. Rather than the migration dates proposed by the Regional Wireless Cooperative or the proposal that 6.25 KHz transition dates be set based on each 700 MHz Regional Planning Committee's interpretation of their spectrum needs necessitating 6.25 kHz per voice path efficiencies in each region, the NRPC proposes an alternative. We think the best proposal would be to incorporate a tiered two step approach for migration to 6.25 kHz voice efficiencies in the 700 MHz narrowband spectrum.

Our proposal is that all NEW 700 MHz narrowband users MUST utilize 6.25 KHz efficiencies (or their equivalent) as of January 1, 2020. ALL 700 MHz narrowband users must migrate to 6.25 KHz efficiencies as of January 1, 2022. The National Regional Planning Council feels this 2 tiered migration approach allows existing users sufficient time to incorporate the necessary equipment into their existing systems to meet 6.25 KHz efficiencies while effectively requiring NEW users to adhere to these efficiencies in a more accelerated time frame.

The National Regional Planning Council thanks the Regional Wireless Cooperative for initiating this Petition for Rulemaking and bringing this important issue impacting public safety agencies across the nation to light. We continue to support this initiative and regional planning committees as an advocacy body in both the 700 and 800 MHz bands throughout the nation.

Respectfully,

William Carter, Chairperson

National Regional Planning Council

June 30, 2012