



WILTSHIRE
& GRANNIS LLP

July 11, 2012

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

*Re: In re the Transition Process for 700 MHz Public Safety Broadband Waiver
Recipients, PS Docket No. 12-94*

Dear Ms. Dortch:

On July 9, 2012, Brett Haan, Tom Davis and Bill Womack of Deloitte Consulting LLP (“Deloitte”) and Patricia Paoletta of Wiltshire & Grannis LLP met with Commissioner Robert McDowell and Legal Advisor Erin McGrath to discuss the value of permitting state and regional access to the broadband 700 MHz public safety spectrum pending the operation of the First Responder Network Authority (“FirstNet”).¹

Deloitte is the author of a White Paper on the impact of 4G technology, and believes that investment in LTE networks – operated both by public safety entities and by the commercial sector – can fuel U.S. economic performance to the benefit of the national economy.² LTE is required by both the Commission and the Spectrum Act to be used by the waiver recipients and by FirstNet.

Deloitte noted that many commenters in the transition proceeding raised the negative impact on state investment and job growth if waiver applications are denied or existing waivers rescinded. A multi-year delay to the marketplace could ensue if waivers are denied and planning and deployment efforts for statewide interoperability networks are halted. In addition, for many networks, restarting multi-jurisdictional inter-agency coordination efforts within a state or with federal partners after several years’ delay once FirstNet is operational may entail costly inefficiencies. Such cost inefficiencies will be borne by taxpayers and undermine public safety’s ability to protect the public during disaster response.

As many commenters have noted in the proceeding, it could be two years before FirstNet is able to operate a nationwide network. FirstNet would benefit from progress made in the interim in the states with LTE networks, as new applications are developed and lessons learned.

¹ FirstNet was created by Title VI of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112-96, 126 Stat. 156 (2012) (“Spectrum Act”).

² See *The Impact of 4G Technology on Commercial Interactions, Economic Growth, and U.S. Competitiveness* (August 2011), available at <http://www.deloitte.com/us/impactof4g>.

Granting or extending waivers will facilitate FirstNet's deployment by reducing the number of state networks not yet on-line once it becomes operational.

Deloitte also noted the central role state governments perform in disaster response. Continued state progress towards deploying interoperable networks should be facilitated by the Commission, not undermined by denying or declining to renew broadband spectrum waivers until such time as FirstNet is operational.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. A. Paoletta', with a long horizontal flourish extending to the right.

Patricia Paoletta

cc: Commissioner McDowell
Angela Giancarlo
Erin McGrath
Josh Gottheimer
Charles Mathias
Louis Peraertz
Paul Murray
Courtney Reinhard