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Via Electronic Filing

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, D.C. 20554

Re: Ex Parte Notice, Docket Nos. PS 06-229, PS 12-94

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 1.1200, et seq., Harris Corporation (“Harris”) hereby notifies the Federal Communications Commission (“Commission”) of the following ex parte communication in the above-referenced proceedings.

On July 12, 2012, Dr. Dennis Martinez, Harris RF Communications Chief Technology Officer and I, the undersigned (collectively, the “Harris Representatives”), on behalf of Harris, met with Mr. David S. Turetsky, Chief, Public Safety and Homeland Security Bureau and Gene Fullano, Erika Olsen, and Brian Hurley of the Public Safety and Homeland Security Bureau.

In this meeting, the Harris Representatives made clear the position that the Commission must base its determinations on interoperability of any public safety entity seeking authorization to early deploy and operate upon the results of the Public Safety Communications Research Program’s (PSCR) Phase 3 testing.

The Harris Representatives recognized that significantly different information is being provided by varying parties within the State of Texas with regard to the State’s ability, effort, and desire to create an interoperable, multi-vendor network.¹ They stated that these conflicting reports drive the need for determinations on interoperability beyond words on a page; thus, science-based reports should drive the FCC’s determinations on proof of multi-vendor interoperability, and these determinations should be determinative in considering allowance of any further early deployment.

The Harris Representatives pointed out that, currently, the Public Safety Communications Research Program’s Phase 3 testing is set to test multi-vendor interoperability of core technologies that will create the NPSBN and that are targeted to be used by those seeking early deployment. They noted that this is the type of science-based interoperability testing that should provide clarity on potential for multi-vendor interoperability, and that the outcomes of these tests should be the basis for a determination of interoperability in the context of Interoperability Showings.

¹ See Letter from Stephen M. Marschilok to Mr. David S. Turetsky (filed Jun. 18, 2012); see also Letter from Todd M. Early, Deputy Assistant Director, Law Enforcement Support Division, Public Safety Communications Service, Texas Department of Public Safety to Mr. David S. Turetsky, Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, PS Docket No. 12-94, PS Docket No. 06-229, (filed Jul. 6, 2012).

The Harris Representatives noted that this requirement is consistent with the requirements of Waiver grantees to participate in the PSCR's testing activities.² Further, they emphasized that this approach is consistent with the goals and provisions of H.R. 3630 in creating the NPSBN interoperability principles; central to this legislation - and the future success of the NPSBN - are the provisions mandating that no proprietary and non-interoperable products are a part of the network and that the NPSBN is built through a competitive, multi-vendor market. Specifically, they stated, under H.R. 3630, the National Institutes of Science and Technology must develop a list of certified devices and components that will be allowed access to, use of, or compatibility with the nationwide public safety broadband network.³

The Harris Representatives made clear that the Commission has an opportunity, by making determinations of interoperability based upon PSCR Phase 3 testing, to follow H.R. 3630's vision of certifying all equipment as interoperable *before* it is used in and for the network in a NIST program.

The Harris Representatives cautioned that, in the alternative, by allowing operation without such a level of certification, the FCC's actions to allow further early deployment will likely result in non-interoperable networks running in competition with – not complementary to – FirstNet build out.

The Harris Representatives also made clear that PSCR Phase 3 testing results should be the basis for assessing any form of request for early operation of Waiver Grantee Systems. They observed that there has been discussion regarding the use of the FCC's Special Temporary Authority (STA) process to allow early build out and operation of public safety networks. The Harris Representatives affirmed that the STA process has and should continue to allow small-scale pilots with few sites for non-mission-critical operations that test cutting-edge technology and applications for first responders. However, they added, the STA process should not be used as an alternative method of allowing Waiver jurisdictions to deploy and operate larger networks as early deployments that can circumvent the proofs of interoperability required of Waiver grantees. Thus, any Waiver grantee seeking to go operational under an STA must bear the same interoperability burden and be scrutinized based on PSCR Phase 3 testing.

Respectfully submitted,

/S/

Patrick Sullivan
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Harris Corporation

CC:
Gene Fullano
Erika Olsen
Brian Hurley

² See In the Matter of Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket No. 06-229, *Order Granting the State of Texas Petition for Early Deployment of a Statewide Public Safety Wireless Broadband Network in the 700 MHz Public Safety Broadband Spectrum* (May 12, 2010) ("Waiver Order") at ¶¶ 59-61.

³ See Pub. L. No. 112-96, 126 Stat. 156, §6206(c)(6) (2012).