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August 1, 2012

By Electronic Filing

Ms. Marlene H. Dortch  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: ET Docket No. 09-234, WT Docket No. 11-69,  
And RM-11663  
Notice of Ex Parte**

Dear Ms. Dortch:

On July 30, 2012, the undersigned, counsel for the TETRA + Critical Communications Association ("TCCA," formerly known as the TETRA Association), provided by email the attached fact sheet to the following individuals: Angela Giancarlo, Chief of Staff and Senior Legal Advisor, Wireless and International, for Commissioner McDowell; Louis Peraertz, Wireless, International, and Public Safety, for Commissioner Clyburn; David Goldman, Senior Legal Advisor for Commissioner Rosenworcel; and Courtney Reinhard, Legal Advisor, Wireless, for Commissioner Pai.

Additionally, between July 30 and August 1 2012, I had either telephone or e-mail communications with Ms. Giancarlo, Mr. Peraertz and Mr. Goldman and discussed the points in the fact sheet and requested quick FCC action because of the upcoming shift to narrowband technologies by potential users.

Please direct any questions to the undersigned.

Sincerely,

/s/

Henry Goldberg

*Attorney for the TETRA + Critical  
Communications Association*

Attachment

cc: Angela Giancarlo  
Louis Peraertz  
David Goldman  
Courtney Reinhard

## TETRA Rulemaking (WT Docket No. 11-69)

- TETRA is an ETSI-originated standard for a four-slot, TDMA digital mobile trunked radio technology, now used in almost 40 countries, where it is the technology of choice for public safety, utilities, and transport companies.
- The popularity of TETRA is results from its low cost, due to the economies of scale provided by a worldwide standard, and because it is fast, secure, and flexible.
- Because the standard relies upon interference protection methods not adopted by the FCC (adjacent channel power and unwanted offsets vs. OOBE and emission mask criteria), absent waiver or rule change, TETRA cannot be certified in the U.S. even though it is more spectrally efficient and provides better interference protection than many other Part 90 technologies.
- In November, 2009, the TETRA Association (now TCCA) requested waiver of Section 90.209(b)(5), to authorize operations at an occupied bandwidth of up to 21.5 +/- 0.5 kHz, and Section 90.210, to allow for up to 5dB excursions for emission masks B, C and G. TCCA committed that TETRA would not be marketed to public safety in the U.S. to avoid making the adoption of P25 more difficult.
- The Commission found that TETRA generated less power into adjacent channels than other Part 90 technologies and that TETRA devices would not cause harm to other users. The waiver was granted in April, 2011, allowing TETRA to be certified for operations on 450-470 MHz and 817-824/862-869 MHz.
- The Order in WT Docket No. 11-69 would incorporate the waiver into the Commission Rules, which would provide the regulatory certainty of a rule change in time for TETRA to be adopted while users are switching to narrowband technologies in preparation for the Jan. 1, 2013 deadline.
- A rulemaking petition filed by Harris (RM-11663) does not concern the original TETRA standard, but a modified standard in use by one manufacturer.