



August 12, 2012

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Room TWA325
Washington, DC 20554

Re: Application of the State of Texas for Temporary Spectrum Use at Harris County, Texas

Dear Ms. Dortch:

The Public Safety Spectrum Trust ("PSST") hereby provides its consent to the application of the State of Texas for Special Temporary Authority (STA) for the purpose of operating 14 public safety LTE sites in the PSST's 700 MHz band spectrum. The authority would begin when the FCC issues the STA and continue for a period of a minimum of 180 days as outlined in FCC Order 12-85 released on July 31, 2012. The PSST understands that the operation planned would conform to the following parameters:

- 1) Operation will be conducted within Harris County, Texas. Equipment would include base stations and associated antennas located at fourteen sites with a small number of portable units operating around each base station. This includes six sites in Baytown, Texas; four sites in Houston, Texas; two sites in Pasadena, Texas; one site in Spring, Texas, and one cell on wheels site that will be used only within the boundaries of Harris County, Texas, where there is no active public safety LTE coverage.
- 2) The State of Texas will request authority from the FCC to operate over the 763-768/793-798 MHz band. This encompasses the spectrum currently licensed on a nationwide basis to the PSST. The PSST and the State of Texas also previously entered into a long term *de facto* transfer spectrum lease agreement for use of this spectrum and that lease was approved by the FCC.
- 3) Operation will begin when the FCC grants the requested STA and will continue for a period of a minimum of 180 days.
- 4) We understand that the State of Texas has analyzed information from the FCC's license databases and has determined that the proposed operation would not interfere or create a significant potential for interference with any public safety operations in the 700 MHz band.

Given the above information, the PSST concurs with the proposed operation by the State of Texas on certain frequencies currently licensed to the PSST as part of the 700 MHz Public Safety Broadband License.

This consent is subject to the PSST's ongoing ability to monitor any operations and use of the PSST's licensed spectrum. In addition, the PSST notes that the Middle Class Tax Relief and Job Creation Act of 2012 ("Spectrum Act") [Public Law No. 112-96, 126 Stat. 156 (2012)] directs the FCC to reallocate the Upper 700 MHz D Block for public safety services and to assign a license for both the D Block and the spectrum comprising the 700 MHz Public Safety Broadband License (currently licensed to the PSST) to the First Responder Network Authority ("FirstNet"). The PSST's consent is valid only while the PSST remains the 700 MHz Public Safety Broadband Licensee and is subject to any action the FCC may take to comply with the requirements of the Spectrum Act.

Respectfully submitted,



Chief Harlin R. McEwen
Chairman
Public Safety Spectrum Trust Corporation
(607) 227-1664
chiefhrm@pubsaf.com

cc: Todd M. Early, State of Texas