

First Responder Network Authority
National Telecommunications and Information Administration
Department of Commerce
1401 Constitution Avenue, N.W., Suite 4898
Washington, DC 20230

SEP 25 2012

Mr. David S. Turetsky
Chief, Public Safety and Homeland Security Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Implementation of the Middle Class Tax Relief and Job Creation Act of 2012

Dear Mr. Turetsky:

The First Responder Network Authority (FirstNet) hereby requests a license for use of the 763-768/793-798 MHz band pursuant to Section 6201 of the Middle Class Tax Relief and Job Creation Act of 2012 (Act).¹ The Act created FirstNet as an independent authority within the National Telecommunications and Information Administration (NTIA), and requires FirstNet to take all actions necessary to ensure the building, deployment, and operation of the nationwide public safety broadband network.²

The Act also requires the Federal Communications Commission (Commission) to grant FirstNet a single license, covering the existing public safety broadband spectrum and the 700 MHz D Block (hereafter referred to as the Public Safety Broadband License).³ The Commission has stated that it would grant this license “as soon as possible” after FirstNet submits a request for the license specified in Section 6201 of the Act.⁴

¹ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, 47 U.S.C. § 1401 *et seq.* (2012). The Act also adds 1 MHz, at 769 MHz and at 799 MHz, the former guard band between public safety broadband and narrowband spectrum. Third Generation Partnership (3GPP) standards define the allowable channel bandwidth within a given spectrum allocation. See 3GPP TS 36.521-1, Table 5.4.2.1-1, E-UTRA channel bandwidth (Release 10) (June 2012), available at <http://www.3gpp.org/ftp/Specs/html-info/36-series.htm>. The maximum (usable) channel bandwidth allowed under these standards within the current public safety broadband allocation at 700 MHz is 10 MHz.

² 47 U.S.C. §§ 1421, 1422.

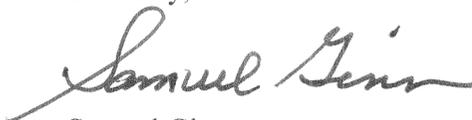
³ 47 U.S.C. § 1421.

⁴ Implementing Public Safety Broadband Provisions of the Middle Class Tax Relief and Job Creation Act of 2012, Report and Order, PS Docket No. 12-94, PS Docket No. 06-229, WT Docket No. 06-150; DA 12-1462, at ¶ 21 (Sept. 7, 2012).

The Acting Secretary of Commerce appointed the FirstNet Board on August 20, 2012.⁵ The Board was sworn in and held its first meeting on September 25, 2012. At that meeting, the Board approved a resolution authorizing me to request that the Commission issue the Public Safety Broadband License. To that end, I respectfully request that the Commission issue this license to FirstNet as soon as possible.

If there are any questions, or if NTIA may be of assistance in facilitating this process, please contact Uzoma Onyeije at 202-482-0016 or Gina Harrison at 202-482-2695.

Sincerely,



Samuel Ginn
Chairman of the Board
First Responder Network Authority

cc: The Honorable Julius Genachowski
The Honorable Robert M. McDowell, Commissioner
The Honorable Mignon Clyburn, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Ajit Pai, Commissioner
Gene Fullano, Associate Chief, Public Safety and Homeland Security Bureau
Erika Olsen, Special Counsel, Public Safety and Homeland Security Bureau

⁵ “FirstNet Board Members Appointed by Acting U.S. Commerce Secretary Rebecca Blank: Member Statements,” (Aug. 21, 2012) available at <http://www.commerce.gov/news/press-releases/2012/08/20/firstnet-board-members-appointed-acting-us-commerce-secretary-rebecca>.