

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Part 90 of the Commission’s Rules	)	WP Docket No. 07-100
	)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band	)	PS Docket No. 06-229
	)	
Service Rules for the 698-746, 747-762, and 777-792 MHz Bands	)	WT Docket No. 06-150
	)	

**REPLY COMMENTS OF THE  
ALARM INDUSTRY COMMUNICATIONS COMMITTEE**

The Alarm Industry Communications Committee (“AICC”), on behalf of its members, hereby submits the following reply comments on the *Fifth Further Notice of Proposed Rulemaking*<sup>1</sup> (“FNPRM”), released June 13, 2012 in the above-captioned proceeding. As detailed below, AICC continues to support the expansion of eligibility for access and use of the 4.9 GHz bands for commercial entities that provide safety-related services. Limiting the expansion of eligibility to safety-related entities would provide benefits similar to those associated with eligibility for critical infrastructure industries (CIIs) while mitigating concerns of congestion and license exhaustion. AICC also supports the adoption of technological standards for the 4.9 GHz band.

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<sup>1</sup> *In the Matter of Amendment of Part 90 of the Commission’s Rules, Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band, Service Rules for the 698-746, 747-762, and 777-792 MHz Bands*, Fourth Report and Order and Fifth Further Notice of Proposed Rulemaking, WP Docket No. 07-100, PS Docket No. 06-229, and WT Docket No. 06-150, released June 13, 2012.

The expansion of eligibility for access to and use of the 4.9 GHz bands to safety-related private sector activities, such as alarm monitoring, would result in benefits similar to expanding eligibility to CIIs. As commenters recognize, opening up eligibility to CIIs “will promote efficient and effective use of the 4.9 GHz band, and will open up opportunities for complementary use of the band with the 700 MHz public safety broadband network.”<sup>2</sup> Motorola stated that, “critical infrastructure industry communications are important to public safety, there is an identified lack of available dedicated channels for these operations, and there is a large demand for additional critical infrastructure communications equipment.”<sup>3</sup> The American Association of State Highway and Transportation Officials indicated expanding access to CIIs would “expand the number of potential equipment users to elevate this band from a niche market to a more general use market reducing the costs to potential implementers.”<sup>4</sup> AICC respectfully submits that these considerations apply equally to safety-related private sector activities such as alarm monitoring. As AICC pointed out in its initial comments, allowing safety-related service providers to operate on the same spectrum as first responders can improve their ability to send emergency communications to the public safety broadband network, and may reduce regulatory burdens and promote cooperation within the public safety community.<sup>5</sup> Alarm providers currently send alerts to Public Safety Answering Points (PSAPs) concerning emergencies such as fires, home invasions, medical emergencies and dangerous carbon monoxide levels. Allowing limited access to the Public Safety Broadband Network, and the related 4.9 GHz allocation that

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<sup>2</sup> *Comments of the Utilities Telecom Council*, WP Docket No. 07-100, PS Docket No. 06-229, WT Docket No. 06-150, filed November 1, 2012, at i. (*Comments of UTC*).

<sup>3</sup> *Comments of Motorola Solutions, Inc.*, WP Docket No. 07-100, PS Docket No. 06-229, WT Docket No. 06-150, filed November 1, 2012, at 5. (*Comments of Motorola*).

<sup>4</sup> *Comments of the American Association of State Highway and Transportation Officials*, WP Docket No. 07-100, PS Docket No. 06-229, WT Docket No. 06-150, filed October 31, 2012, at 18.

<sup>5</sup> *Comments of the Alarm Industry Communications Committee*, WP Docket No. 07-100, PS Docket No. 06-229, WT Docket No. 06-150, filed October 31, 2012, at 3. (*Comments of AICC*).

has been identified as spectrum to provide backbone connectivity to the Network, will allow alarm companies to more efficiently and rapidly gather and forward to PSAPs information about emergencies. Moreover, giving these entities full capabilities (including backhaul in the 4.9 GHz band) to utilize public safety's new broadband capability will facilitate valuable innovations, such as the ability to forward live video of a fire or crime scene to the PSAP, or to forward real-time medical sensor or carbon dioxide level data to first responders. The PSAP would direct when such information is provided.

At the same time, many of the concerns commenters expressed about commercial eligibility are mitigated by the limited nature of AICC's proposal. Primarily, commenters opposed to commercial eligibility were concerned with the potential for rapid congestion in the band.<sup>6</sup> As AICC highlighted in its initial comments, many non public-safety entities already make use of the spectrum by entering into sharing agreements with public safety licensees,<sup>7</sup> and alarm and alarm monitoring services are generally characterized as having short message duration. Therefore, it is unlikely that allowing public safety-related private sector activities to use the 4.9 GHz spectrum will result in the congestion concerns raised in comments. Rather, preliminary expansion to such entities would allow the Commission the opportunity to monitor and better determine potential issues with commercial use of the spectrum in a piece-meal fashion. This would be in line with the wait-and-see approaches advocated by APCO, the National Public Safety Telecommunications Council, and others.<sup>8</sup>

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<sup>6</sup> See, e.g., *Comments of the County of Los Angeles, California*, WP Docket No. 07-100, PS Docket No. 06-229, WT Docket No. 06-150, filed October 28, 2012, at 2; *Comments of UTC* at 14; *Comments of Motorola* at 5.

<sup>7</sup> *Comments of AICC* at 3.

<sup>8</sup> See *Comments of APCO*, WP Docket No. 07-100, PS Docket No. 06-229, WT Docket No. 06-150, filed October 31, 2012, at 4; *Comments of the National Public Safety Telecommunications Council*, WP Docket No. 07-100, PS Docket No. 06-229, WT Docket No. 06-150, filed November 1, 2012, at 8-9 (*Comments of NPSTC*); and *Comments*

AICC also continues to support the adoption of technological standards aimed at ensuring interoperability in the band. NPSTC rightly points out the importance of “interoperability across all public safety communications bands so that public safety users from neighboring jurisdictions can easily work together,” and correctly concludes that having a standard “would help to make 4.9 GHz networks and equipment more interchangeable, thereby promoting interoperability among 4.9 GHz users and between 4.9 GHz and other networks, such as the nationwide 700 MHz broadband network. Further, as demonstrated in other spectrum bands where standards do exist, such as the Wi-Fi bands, standards have led to decreased costs.”<sup>9</sup> Commenters opposing the adoption of standards counter that “[a]doption of standards would stifle innovation in equipment and applications for this band,”<sup>10</sup> but provide no evidence to support this notion.

In conclusion, the Commission should, at minimum, expand eligibility to commercial entities engaged in public-safety related enterprises, and adopt technical standards that ensure interoperability within the band. Both steps represent incremental moves forward that not only improved public safety, but may also provide valuable experience in implementing similar measures in other public safety bands, leading to greater overall efficiency and public welfare. As indicated in its earlier comments, AICC would contemplate that FirstNet would adopt guidelines for private sector participation in the Network, including the 4.9 GHz band backhaul, that would prevent the issues noted by some commenters; and alarm companies would be willing to abide by such guidelines.

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*of the Forestry Conservation Communications Association, the International Association of Fire Chiefs, and the International Municipal Signal Association* at 13-14.

<sup>9</sup> *Comments of NPSTC* at 12.

<sup>10</sup> *Comments of Southern Company Services, Inc.*, WP Docket No. 07-100, PS Docket No. 06-229, WT Docket No. 06-150, filed November 1, 2012, at 12.

Respectfully submitted,

**THE ALARM INDUSTRY  
COMMUNICATIONS COMMITTEE**

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