

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Amendment of Part 90 of the Commission’s Rules to Permit Terrestrial Trunked Radio (TETRA) Technology)	WT Docket No. 11-69
)	
Request by the TETRA Association for Waiver of Section 90.209, 90.210, and 2.1043 of the Commission’s Rules)	ET Docket No. 09-234
)	

**COMMENTS OF APCO
IN RESPONSE TO
PETITION FOR CLARIFICATION AND/OR RECONSIDERATION OF
MOTOROLA SOLUTIONS, INC.**

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following brief comments in support of a “Petition for Clarification and/or Reconsideration” submitted by Motorola Solutions, Inc. (“Motorola”) on November 9, 2012,¹ in the above-captioned proceedings.

Founded in 1935, APCO is the nation’s oldest and largest public safety communications organization. Most APCO members are state or local government employees who manage and operate communications systems for police, fire, emergency medical, forestry conservation, highway maintenance, disaster relief, and other public safety agencies. APCO is the largest FCC-certified frequency coordinator for Public Safety Pool frequencies and appears regularly before the Commission on a wide range of public safety communications issues.

Motorola seeks clarification and/or reconsideration regarding the Commission’s recent *Report and Order* allowing the use of Terrestrial Trunked Radio (“TETRA”) technology on

¹ 77 Fed. Reg. 74823 (Dec. 18, 2012).

certain Part 90 land mobile radio frequencies.² In particular, Motorola notes an inconsistency between the text of the *Report and Order* and the text of the adopted rules as to whether TETRA may be deployed on non-NPSPAC 800 MHz band channels.³ Public safety frequency coordinators have recently received applications indicating proposed TETRA use on such channels. Therefore, immediate and formal clarification is required to determine if such applications are compliant with the Commission's rules.

Respectfully submitted,

/s/

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² Amendment of Part 90 of the Commission's Rules to Permit Terrestrial Trunked Radio (TETRA) Technology and Request by the TETRA Association for Waiver of Section 90.209, 90.210, and 2.1043 of the Commission's Rules, *Report and Order*, WT Docket No. 11-69, ET Docket No. 09-234, 27 FCC Rcd 11569 ("Order").

³ The *Report and Order* makes clear that TETRA may not be deployed on NPSPAC channels.