

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

In the Matter of)
Options for 470-512 MHz (T-Band) Spectrum) PS Docket No. 13-42
(Public Notice DA 13-187)

TO: Wireless Telecommunications Bureau
Public Safety and Homeland Security Bureau

COMMENTS OF THE CITY OF LOS ANGELES

The City of Los Angeles, California (“City”) hereby responds to Public Notice, DA 13-47 (February 11, 2013) captioned above seeking comment relating to the Commission’s implementation of Section 6103 of the Middle Class Tax Relief and Job Creation Act of 2012 (“Act”) as it applies to the 470-512MHz band (“T-Band”).¹

The City of Los Angeles, with over 3.8 million residents, is the second most populous city in the United States located in the most populous county in the nation. The City faces a wide volume of threats from both natural disasters and acts of terrorism due to its high population, unique geographic vulnerabilities and high profile assets. In addition, the City of Los Angeles is home to the world’s busiest origin and destination airport (Los Angeles International Airport), the nation’s busiest container port (the Port of Los Angeles) and is an integral part of the second largest U.S. mass transit system by volume. These unique assets, and others, combined with increasing population density, have placed a high demand on the radio spectrum currently allocated in the Los Angeles region for public safety communications networks.

¹ Pub. L. No. 112-96, 126 Stat. 156 (2012)

Since the Commission made portions of the 470-512MHz spectrum (T-Band) available for public safety use in the Los Angeles region,² the City has made significant investments in its public safety communications infrastructure utilizing its 123 T-Band frequency pairs for voice and data communications supporting the Los Angeles Police Department (“LAPD”); the Los Angeles Fire Department (“LAFD”); the Port of Los Angeles (“POLA”) and the Los Angeles World Airports (“LAWA”). With the passage of Section 6103 of the Act, the City faces the unanticipated and significant burden of vacating the T-Band in less than eleven years as mandated by the Act.

The National Public Safety Telecommunications Council (“NPSTC”) recently issued a comprehensive report on the T-Band³ identifying Los Angeles as a key market having insufficient alternate spectrum allocated for public safety use. The City’s relocation from the T-Band will be a complex transition requiring new spectrum resources and timely funding in order to allow for a gradual migration from the band.

For the reasons discussed above the City recommends that the Commission should:

1. Make available suitable and sufficient spectrum in the 700/800MHz band and new and timely funding to offset the costs associated with forced relocation of public safety licensees from the T-Band spectrum;
2. Continue to work with policy makers and affected stakeholders to provide the necessary resources to promote interoperability among public safety agencies;
3. Allow public safety T-Band licensees the ability to continue to modify and operate within their existing service contours in order to meet current and future operational needs;

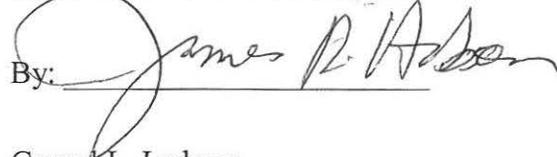
² Amendment of Part 90 of the Commission’s Rules and Regulations.

³ National Public Safety Telecommunications Council, *T-Band Report* (March 15, 2013).

4. Not limit or dismiss the allocation of the immediate and necessary resources needed to assist the City's migration from the T-Band based upon the supposition that the 700MHz broadband network being deployed by the FirstNet will be ready to serve as a viable replacement for mission critical voice communications prior to the forced vacation of the T-Band; and
5. Advise policy makers to revisit the merits of section 6103 in the event that suitable and sufficient replacement spectrum cannot be made available to affected agencies.

Respectfully submitted,

CITY OF LOS ANGELES, CA

By: 

Gerard L. Lederer

James R. Hobson

Best Best & Krieger LLP

2000 Pennsylvania Avenue, N.W.

Suite 4300

Washington, D.C. 20006

(202) 785-0600

ITS ATTORNEYS

May 13, 2013