COUNTY OF MORRIS
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EMERGENCY MANAGEMENT

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Federal Communications Commission

Re: PS Docket Number 13-42
DA 13-187

The County of Morris hereby presents our proposals for the implementation of provisions of Section 6103. We currently hold 19 licenses in the UHF T-Band, which are all used for Public Safety dispatch and operations. Our system has been in place since 2004, and is constantly evolving to encompass additional users among our County agencies and 39 municipalities. Morris County presently provides public safety dispatch for 23 of the 39 towns, but operational and interoperable coordination for all 39. We maintain a 13 site linear simulcast digital trunking system, as well as alert paging and conventional operations channels for our subscribers. The configuration and use of the system is as follows:

- 33 frequencies or pairs across all systems within 19 licenses
- 4153 affiliated trunking subscriber units as of this writing (52% portable, 48% vehicle mounted mobile)
- Approximately 200 conventional portable units
- 89% public safety use, 11% non-public safety
- 12 repeaters + 1 base at 13 tower sites (169 transmitters)
- 1 conventional base repeater
- 59 Control stations
- $3222 average cost per mobile/portable
- Average mobile/portable age 3.8 years
- Average base/repeater/control station age 1 year
- Useful life of units 12-15 years
- Systems average use approximately **16% (PTT/day),** 24x7 for dispatch, field communications, command & control
- System use exceeds capacity during major events (i.e. Hurricane Sandy, T.S. Irene)

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Since construction of this system in 2004, it has grown and undergone significant upgrades costing in excess of $25 million just for the infrastructure. The assignment in T-Band was made because adequate frequencies were not available in other bands due to the saturation in the New York metropolitan area, and this issue remains today. Migration to the public safety broadband spectrum is a largely unknown solution since it presently does not provide for “simplex” or unit to unit communication for tactical or fireground type operations. Additionally, mission-critical voice, which is the lifeblood of first-responder communications, offered via the LTE standard is commercial grade, lacking many of the features that public safety has deemed necessary in a mission-critical setting. Given these factors and others, conventional wisdom is that public-safety LMR communications will not be replaced by LTE any time soon.

Due to the variations in terrain and topography in Morris County, sufficient coverage for public safety would require almost double the tower locations and repeaters at higher frequencies (700/800 MHz) to provide similar to present coverage. This would substantially increase costs since it would be far more than a one for one replacement of existing equipment.

As our system and needs have grown, it has been necessary to modify licenses to accommodate growth. In February 2012, several modification requests were submitted. Due to backlogs at the FCC, no action was taken on these applications and they were subsequently caught in the freeze implemented in April of 2012. To date, our public safety enterprise has been compromised. We strongly encourage the FCC to discontinue the suspension of processing of applications for existing systems and those that impact the operation of current systems that require expansion for safe operations. This action should occur as soon as possible.

We have just completed a major upgrade to the countywide digital trunked system. Hence, the time, cost and effort to relocate to another frequency band would be a major disruption to users and would require years of planning and preparation, since new tower locations would have to be identified and acquired, and subscriber equipment would have to be replaced. As indicated above, the average age of current equipment is essentially “new”, so having to replace it in short order would hardly be cost effective or efficient. Until such time as a relocation could be studied, it is difficult to determine precise time and cost, but a cursory review indicates at least a 3-4 year process, costing in excess of $30 million to implement (including site acquisition and planning). Whether auctioning of T-Band spectrum could produce sufficient funding to relocate all licensees remains to be seen, but seems unlikely.

In lieu of a complete rebuild of the current system, a regional approach could be considered, but would result in the on-going issue of lack of frequency spectrum in this area. To successfully build out a regional or statewide system, it would require infrastructure and frequencies well beyond current authorizations, and with scarce spectrum, would likely be an insurmountable task.

Ultimately, in order for the intent of the order to be functional, non-public safety entities would also have to relocate from the T-Band, thus creating even greater pressure for identification and allocation of alternative frequencies. This would also result in greater costs and further challenges for public safety agencies such as ours that received waivers to operate on Part 22 frequencies in the band as well. The Part 22 frequencies would need to be included or excluded based on the decision for the rest of the T-Band spectrum, in order for any system to remain cohesive and subscriber units to be all inclusive.

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We agree with and whole-heartedly support the report and findings of the National Public Safety Telecommunications Council dated March 15, 2013. We believe their findings are sound and logical inasmuch as “given the lack of spectrum, cost of relocation, major disruption to vital public safety services, and likelihood that the spectrum auction would not even cover relocation costs, ….implementing the T-Band legislation would not be feasible…”. In conclusion, we encourage the responsible agencies to reconsider the reallocation of these frequencies and the relocation of existing licensees due to the considerable costs and burden it would place on the license holders and the taxpayers, as well as the impact to public safety. We propose that current freezes on pending or new applications be lifted so that existing systems can continue to remain viable until such time as a determination is made on the future of the spectrum. Thank you for your consideration.

Respectfully,

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