

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

In the Matter of)	
)	
Proposed Amendments to the Service Rules)	
Governing Public Safety Narrowband)	PS Docket No. 13-87
Operations in the 769-775/799-805 MHz)	
Bands)	
)	

COMMENTS OF WASHINGTON COUNTY, TEXAS

Washington County, Texas is a partner in the Brazos Valley Wide Area Communications System (BVWACS) with the Cities of Bryan, College Station, and Brenham, Brazos County and Texas A & M University, located in two counties in Central Texas. BVWACS operates a seven site P25 Phase I public safety trunked radio system on 12.5 kHz narrowband 700 MHz channels, with approximately 2,700 active subscriber units. By contract, our sites and dispatch centers utilize the master site controller of the Texas Wide Area Radio Network (TX-WARN), operated by Harris County, Texas. This arrangement allows for the highest degree of interoperability and roaming between our public safety subscribers and the 65,000-plus other TX-WARN public safety subscribers throughout central, southeast, and east Texas.

Washington County is a rural county with a population of 33,718 in the last census and a general fund budget of approximately \$12 million per year. The decision to spend more than \$1 million (net of grants) for narrow banded digital radios and share the systems initial costs as well as the on-going operation and maintenance cost was difficult, but the elected leaders of the county felt the benefit of radio inoperability in cases of emergency was worth the cost.

The impact of the current December 31, 2016 deadline for narrowbanding the 700 MHz public safety band to 6.25 kHz technology, is that all the Washington County radios will become “legally obsolete” after December 31, 2016, long before their normal life cycle. It in effect punishes the governmental entities like Washington County who pressed ahead instead of taking the wait and see attitude. For a small rural county who stretched itself once, it produces a difficult decision to either pay large lump sum again (that we see as unnecessary) or abandon the concept of radio inoperability for the time being to see if the National Public Safety Broadband Network will offer what we need in the future.

This deadline was established in the rules in 2002. It was based on the Commission’s estimate that equipment meeting the 6.25 kHz efficiency requirement would be available from manufacturers by the end of 2006, and that the reasonable life of equipment purchased prior to that time would be 10 years. The Commission also expected that the 700 MHz band, which was then occupied by TV broadcasters, would be cleared for public safety to begin activating systems in the band by the end of 2006.

In other words it is an artificial deadline that circumstances have made unreasonable for the following reasons. First, TV broadcasters were given Congressional extensions and did not fully vacate the 700 MHz band until June 12, 2009. The uncertainty regarding the "DTV transition" date caused radio manufacturers and public safety entities to significantly delay equipment development and system implementations. In fact, the first subscriber equipment capable of meeting the 6.25 kHz P25 standards requirement was not offered for development and system implementations until late 2009. And, the first subscriber equipment capable of meeting the requirements did not go on sale until late 2009, and then at a premium price.

Second, subscriber radios are being built better than before 2002; a 15 year life-cycle is now reasonable. Many new desirable and useful features can be added to radios by software upgrades, rather than by replacement.

For all these reasons we urge the Commission to eliminate the December 31, 2016 deadline.

Respectfully submitted,

/s/ John Brieden

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