

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

In the Matter of:)	
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)	
Proposed Amendments to the)	
Service Rules Governing Public)	PS Docket No. 13-87
Narrowband Operations)	
in the 769-775/799-805 MHz Bands)	
)	
National Public Safety)	
Telecommunications Council)	RM-11433
Petition for Rulemaking on)	
Aircraft Voice Operations at 700 MHz)	
)	

Comments of the Ohio Statewide Interoperability Executive Committee

The Ohio Statewide Interoperability Executive Committee (Ohio SIEC) respectfully submits this response pertaining to sections of the FCC 13-40 released April 1, 2013 and published in the Federal Register April 18, 2013. Specifically, PS Docket No. 13-87, Proposed Amendments to the Service Rules Governing Public Safety Narrowband Operations in the 769-775/799-805 MHz Bands and RM-11433, National Public Safety Telecommunications Council Petition for Rulemaking on Aircraft Voice Operations at 700 MHz.

Background

The Ohio SIEC was formed in 2002 when then-Governor Bob Taft received approval from the Federal Communications Commission (the Commission) to form the Committee. The Ohio SIEC represents both governmental and non-governmental public safety first responder agencies throughout the state of Ohio. The purpose of the Ohio SIEC is to provide guidance and strategic direction for public safety first responder communication initiatives. This direction includes accessibility to reliable and interoperable mission critical communications.

In April, 2012, Governor John Kasich issued his Executive Order #2012-07K designating the Ohio SIEC "...to address concerns relating to operability and interoperability of local, regional and statewide public safety voice and data communications systems, to plan for the long-term efficient implementation and operation of interconnected public safety communications systems, [and] to improve overall public safety communications interoperability in Ohio."

Members of the Ohio SIEC include all genres of public safety, levels of government, public service and associations. Meetings are held at least quarterly with routinely more than 75 representatives from the committee and other interested parties in attendance.

Comments pertaining to PS Docket No. 13-87, proposed Amendments to the Service Rules Governing Public Safety Narrowband Operations in the 769-775/799-805 MHz Bands:

December 31, 2016 Deadline for Narrowbanding Transition to 6.25 Kiloherertz Bandwidth Technology

The State of Ohio has had a fully operational statewide 800 MHz digital radio system since 2004, serving more than 1200 user agencies from 218 sites with nearly 48,000 subscriber devices. Since the system is at full capacity, planning started in 2007 to overlay the current system with a new Project 25 (P25) 700 MHz system. Construction started in 2008, using federal PSIC funds. To date, 87 sites have been constructed, licensed, and are operational. Another 20 license applications are currently in the "Pending" status. Eventually, all 218 sites will operate on 700 MHz frequencies. The Ohio SIEC has been closely involved in P25 system planning, design and development from day 1 – the build-out of the 700/800 MHz, P-25 statewide platform has been the number 1 strategic goal of Ohio Statewide Communications Interoperability Plan (SCIP) since its first iteration in 2007.

Additionally, Ohio has invested over \$270 million in State funds for infrastructure and millions more in user equipment (much of it in the past five to seven years) using a variety of grant funding sources. This equipment is planned for a 10 to 15 year life span.

Until 2010, no user equipment was available capable of operation on the soon to be required 6.25KHz bandwidth. Consequently, much of the existing equipment will become obsolete when the 6.25 narrowband requirement is imposed.

Since this is long before the planned end of life cycle, there will be a tremendous amount of taxpayer monies wasted as a result. This is simply not sound public policy, with little regard or no regard being placed on the public interests.

In the state's current biennium budget, approximately \$90 million has been allocated for the aforementioned P-25 overlay. User agencies are now purchasing 6.25KHz capable equipment. But, the vast majority of perfectly serviceable equipment will **not** work if the 6.25KHz artificial narrowbanding requirement of 2016 requirement is maintained by the Commission. This will have considerable negative impacts, and create undue hardship for many of the planned users to the new 700/800 MHz, P-25 system.

Comments:

The Ohio SIEC requests the Commission revisit its current rules addressing spectrum efficiency, specifically the 700 MHz public safety band mandatory transition date of December 31, 2016 from 12.5 kHz to 6.25 kHz per FCC 90.535. The Ohio SIEC believes that this date will have considerable negative impact for all users of our statewide 700 MHz radio system and if not changed, will create an undue hardship for all users of any Public Safety 700 MHz system, not just those within our state.

Ohio's position has four (4) main points:

1. Subscriber equipment capable of transmitting on the required 6.25 kHz spectrum only became available to our users within the last 2 years. Over 98 percent of the subscriber equipment (47,000 plus subscribers) on the current State radio system was purchased before 6.25 KHz equipment became available, much of the purchase utilizing federal grant funding.

The lack of availability of 6.25 kHz equipment before 2010 created a situation where agencies purchased equipment compliant with only the 12.5 kHz channel efficiency. If the 2016 transition date remains, a majority of the perfectly serviceable equipment will have to be discarded wasting, untold millions of scarce public tax dollars.

Very little funding is on the horizon for replacement equipment. With public funds at stake, this change has a negative impact on the users and is not a good fiscal practice.

2. The Region 33 Regional Planning Committee (RPC) is effectively managing the 700 MHz spectrum available to Ohio. The Plan is currently meeting the needs of our jurisdictions and few, if any, channel contentions exist. In 2008, the Region 33 RPC did a re-pack of the frequencies from 25kHz to 12.5 kHz. This repack gave the Region (Ohio) additional frequencies for all of our users in Ohio for our present and foreseeable future spectrum needs. In effect, Ohio has "self-narrowbanded".

3. There are Reserve Channels in the spectrum block which has not been released by the Commission. To date, these have not been needed. Should a channel shortage occur, these reserve channels will be helpful in mitigating any shortage.

4. In the past, the driving force to Narrowband has been to relieve a shortage of spectrum. If such a shortage doesn't exist or is not eminent, just Narrowbanding for the sake of Narrowbanding doesn't make much sense, especially if it will cause the "beneficiaries" undue hardship by having to discard perfectly usable equipment, while having no known funding source available to purchase replacements.

Conclusion

As earlier stated, Ohio's SIEC requests the Commission revisit their decision to narrowband the 700 MHz public safety band by 2016. For the reasons stated above and information we have obtained from contacts we have had with other users, States, SIEC's, Planning Committees, and Associations, the need to do so is unnecessary.

If the Commission does not, by its own volition, remove or extend the current deadline to at least December 31, 2024, the State of Ohio and many other Ohio agencies, with the endorsement of the Ohio SIEC and Region 33 700 MHz Planning Committee, will

file formal "Request for Waiver" documents which will create an otherwise avoidable, needless extra workload for the Commission.

The Ohio SIEC requests the Commission review this issue at its earliest convenience and arrive at a speedy decision. It is vitally important to first responder agencies nationwide and most certainly is in the public's best interest.

B: 2010 NPSTC Petition – Air-Ground Communications on Secondary Trunking Channels

In 2010, NPSTC submitted a petition for rulemaking to allow 700 MHz public safety narrowband licensees to use the secondary trunking channels for low-altitude, low power, air-ground voice communications.

In June 2011, the Bureau issued a public notice in this docket seeking comment on the NPSTC petition. Ohio SIEC filed comments with the Commission at that time and, upon review, feel their relevancy is as valid now as it was then.

Comments:

NPSTC is correct in their belief Maryland is not unique in the problem of aircraft operations, not only at 700 MHz but 800 MHz and indeed other bands as well.

The Ohio State Highway Patrol has a very active air service, both for its own mission of

providing police traffic services, but also providing assistance to other state, county and local departments. Besides speed enforcement, they are often called upon to aid in man-hunts, lost children and elderly searches, rural area rescue missions, illegal drug eradication, blood, organ and body tissue relays, general surveillance missions and other law enforcement needs. The State's Departments of Natural Resources and Transportation also operates aircraft in the furtherance of their missions as well and are sometimes called upon to assist other agencies.

Also, a number of major city and county agencies operate aircraft as does close airborne EMS companies and all are frequently called upon for mutual aid or medical evacuation services involving the need for radio interoperability with the requesting or coordinating agency.

Political boundaries, whether they are city, county or state, are often crossed without regard in the performance of their life-saving missions, so adjacent state pre-planning would be of great benefit.

The problem of interoperability between agencies is as old as radio communication itself. Several methods have been developed over time and, on occasion, ad-hoc methods are implemented, but there has never been a clear, concise and uniform nationwide manner in which to conduct these operations.

If the Commission approves this petition and issues a rule-making proceeding, with everyone's input and assistance, perhaps such a protocol can be developed.

Direct costs to participate should be minimal - the frequencies involved would likely be programmed in most, if not all, subscriber units. State and local agencies would provide

the infrastructure as an integral part of their overall system design.

In Ohio, secondary use trunking channels are in use very little, if at all. It is doubtful our public safety agencies would be interested in expanding this option.

Conclusion:

The Commission has designated the Ohio Statewide Interoperability Executive Committee (SIEC) to oversee the use of the 700 MHz Interoperability channels. Ohio's SIEC is active in this regard and has provided general guidance and offered suggestions concerning interoperability in other bands as well. We will gladly participate with our neighboring states in a coordinated plan to make the best possible use of the 700 MHz Interoperability channels and attempt to minimize interference between all concerned.

The Ohio SIEC supports and endorses the NPSTC / Maryland Petition for Rulemaking, RM-11433, as it is clearly in the public interest.

Respectfully,


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of Public Safety
SIEC Co-Chairman


Michael Simpson
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SIEC Co-Chairman

June 14, 2013