

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

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

**REPLY COMMENTS OF ICOM AMERICA, INC.**

Icom America, Inc. (“Icom”), through counsel and pursuant to Section 1.419 of the Commission’s Rules, 47 C.F.R. §1.419, hereby respectfully submits its Reply Comments in the above-referenced proceeding.<sup>1</sup>

**I. BACKGROUND**

Icom America’s parent company, Icom, Inc., was founded in 1954 by Tokuzo Inoue in Osaka, Japan. Icom, Inc. is a publicly held Japanese corporation; its stock is traded on the Tokyo and Osaka Stock Exchange. Icom, Inc. began as an engineering and manufacturing company in the business of designing, engineering, and manufacturing highly advanced, compact solid-state radio equipment for use in the Amateur radio industry. The company’s product line has since expanded to include communications equipment and products based in the Marine, Avionics and Land Mobile industries.

Icom, Inc. has sales offices and branch offices all over the world including Australia, Germany, France, the United Kingdom, Spain, Canada and of course the U.S. Icom America is Icom, Inc.’s largest subsidiary company and is the U.S. distributor for Icom, Inc. products. Icom

---

<sup>1</sup> *Seventh Report and Order and Notice of Proposed Rulemaking*, PS Docket No. 13-87, 78 FR 232529 (April 19, 2013).

America was incorporated in October of 1979 and has continued to gain market share in each of its five major divisions: Land Mobile, Amateur, Aviation, Marine and Receivers.

In this portion of the proceeding, the Commission seeks comments on proposed amendments to its 700 MHz narrowband rules. Included amongst these proposals are recommendations made by the National Public Safety Telecommunications Council (NPSTC). Icom welcomes the opportunity to present its views on these important issues.

## II. REPLY COMMENTS

The major issues in this proceeding are:

- a. Whether to extend or eliminate the current requirements that 700 MHz narrowband licensees current to 6.25 kHz (or equivalent efficiency) systems by December 31, 2016. Unlike the VHF and UHF bands, there is a mandatory deadline for this conversion;
- b. Whether to extend or eliminate the current requirement that manufacturers must cease marketing, manufacture, and import of 700 MHz narrowband equipment not capable of operating at 6.25 kHz efficiency by December 31, 2014;
- c. Whether the FCC should require vendors of 700 MHz narrowband equipment to obtain P25 CAP certification for all equipment prior to marketing or sale of such equipment.

Icom agrees with the numerous parties who submitted comments stating that it is important that the public safety industry retain the flexibility to operate their 700 MHz P25 systems in Phase 1 mode. While there are certainly urban areas across the country where the capacity needs of public safety users in the area dictate that Phase 2 systems should be employed, there are large swaths of the country where 700 MHz public safety spectrum is bountiful. In these areas, the costs inherent in Phase 2 systems (versus Phase 1 systems) and the burden of migration of current technology outweighs the spectral advantages gained by the conversion.

Eliminating the 6.25 kHz deadline, with the option to review the issue in the future, would be consistent with the Commission's decision in the VHF/UHF narrowbanding proceeding. In that proceeding, the Commission encouraged licensees to skip the 12.5 kHz narrowband step and implement 6.25 kHz (or equivalent efficiency) systems. However, the Commission did not mandate such implementation. Rather, the Commission elected to revisit the issue sometime in the future. Icom believes that the Commission should act in a similar manner in this proceeding.

Icom's position is supported by the fact that the P25 Phase 2 standard is not yet complete. There is presently no Phase 2 P25 conventional standard developed yet. Given the number of municipalities presently implementing P25 700/800 MHz system (often as part of their 800 MHz rebands), there is no rational reason for these licensees to reinvest millions of dollars when their existing systems are still current technology and fully supported by their respective manufacturers.

Across the country, there are a multitude of types of 700 MHz users and situations. In some cases, implementation of Phase 2 equipment is appropriate and necessary. In other areas, 700 MHz spectrum is and will remain abundant. The advantages of 700 MHz P25 equipment is that, regardless of the implementation of Phase 1 or Phase 2 systems, the equipment's backward capability ensures continued interoperability. Thus, local decision on spectrum needs can be made on a local basis, without concern for users travelling from one geographic area to another.

The comments describing the financial hardships on cash strapped agencies to replace current technology P25 Phase 1 equipment were overwhelming and compelling. Icom agrees and adds that these same agencies will incur additional costs if P25 Phase 1-only radios are no longer available to add to their fleets. These agencies will be forced to purchase radios with capabilities

that they won't need, should the FCC agree with the overwhelming number of requests to either delay or eliminate the mandatory migration altogether.

Icom also agrees with the many comments describing the negative impact on interoperability when mixing fleets of Phase 1 and Phase 2 capable radios, if only Phase 2 capable radios are available on the market. Icom thinks the FCC should also eliminate the requirement for manufacturers to cease marketing, manufacture, and import of 700 MHz narrowband equipment not capable of operating at 6.25 kHz efficiency by December 31, 2014.

Icom appreciates the Commission's concern that failure to require implementation of Phase 2 systems may impinge on the availability of spectrum for T-Band (470-512 MHz) licensees in their move to alternative spectrum. However, T-Band systems exist in limited geographic areas, and these areas are the most likely areas where Phase 2 systems would be implemented regardless of Commission requirement. Further, the recent study submitted by the NPSTC in response to the Commission request for comments in the T-Band proceeding demonstrate that even the implementation of Phase 2 systems throughout most of the T-Band geographic areas would still not yield sufficient relocation spectrum. Thus, implementation of the Phase 2 requirement on a nationwide basis would negatively impact the vast majority of the country but bring little benefit to T-Band areas.

Icom agrees with Motorola, EF Johnson, APCO, and Harris that the Project 25 Compliance Program (CAP) should not be a part of this rule making. Icom agrees that the P25 CAP program is working well as a voluntary program and should remain so.

With regard to other issues in this proceeding, Icom supports NPSTC's (and/or the Commission's) proposals to: (1) allow 700 MHz narrowband licensees to use the secondary trunking channels for low-altitude, low power air-to-ground voice communications; (2) re-

designate the upper two 6.25 kHz nationwide interoperability calling channels for nationwide interoperability travel channels; (3) delete Section 90.521(1)(i) in order to allow tactical voice communications on a secondary basis on the two 6.25 kHz data-only interoperability channels; and (4) raise the ERP limit on the low power channels to 20 watts for temporary fixed use.

### **III. CONCLUSION**

WHEREFORE, the premises considered, it is respectfully requested that the Commission act in accordance with the views expressed herein.

**ICOM AMERICA, INC.**

By: Alan S. Tilles, Esquire

It's Attorney

Shulman Rogers Gandal Pordy & Ecker, P.A.  
12505 Park Potomac Ave., Sixth Floor  
Potomac, Maryland 20854  
(301) 231-0930

Date: July 18, 2013