

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

In the Matter of:)	
)	
Implementing Public Safety Broadband)	PS Docket No. 12-94
Provisions of the Middle Class Tax Relief and)	
Job Creation Act of 2012)	
)	
Implementing a Nationwide, Broadband,)	PS Docket No. 06-229
Interoperable Public Safety Network in the 700)	
MHz Band)	
)	
Service Rules for the 698-746, 747-762 and)	WT Docket No. 06-150
777-792 MHz Bands)	
)	

**COMMENTS OF
THE NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL**

The National Public Safety Telecommunications Council (NPSTC) submits these Comments in response to the Commission’s Public Notice requesting comments on matters raised by the First Responder Network Authority (FirstNet) in its August 2, 2013 filing with the Commission.¹ Many issues addressed in the FirstNet filing were raised in the Commission’s previous Notice of Proposed Rulemaking released March 8, 2013.² That proceeding addresses rules for the Public Safety Broadband Network (PSBN).

¹ Public Notice *FCC Provides Opportunity for Comment on First Responder Network Authority Filing in PS Docket 12-94*, DA 13-1775, released August 19, 2013. The FirstNet filing covers issues also raised in the Commission’s previous Notice of Proposed Rulemaking, PS Docket 12-94, PS Docket 06-229 and WT Docket No. 06-150, released March 8, 2013 for which comments were received by May 24, 2013 and Reply Comments by June 10, 2013.

² Notice of Proposed Rulemaking, PS Docket 12-94, PS Docket 06-229 and WT Docket No. 06-150, released March 8, 2013. Comments were due by May 24, 2013 and Reply Comments by June 10, 2013.

The National Public Safety Telecommunications Council

The National Public Safety Telecommunications Council is a federation of public safety organizations whose mission is to improve public safety communications and interoperability through collaborative leadership. NPSTC pursues the role of resource and advocate for public safety organizations in the United States on matters relating to public safety telecommunications. NPSTC has promoted implementation of the Public Safety Wireless Advisory Committee (PSWAC) and the 700 MHz Public Safety National Coordination Committee (NCC) recommendations. NPSTC explores technologies and public policy involving public safety telecommunications, analyzes the ramifications of particular issues and submits comments to governmental bodies with the objective of furthering public safety telecommunications worldwide. NPSTC serves as a standing forum for the exchange of ideas and information for effective public safety telecommunications.

The following 15 organizations participate in NPSTC:

- American Association of State Highway and Transportation Officials
- American Radio Relay League
- Association of Fish and Wildlife Agencies
- Association of Public-Safety Communications Officials-International
- Forestry Conservation Communications Association
- International Association of Chiefs of Police
- International Association of Emergency Managers
- International Association of Fire Chiefs
- International Municipal Signal Association
- National Association of State Chief Information Officers
- National Association of State Emergency Medical Services Officials
- National Association of State Foresters
- National Association of State Technology Directors
- National Emergency Number Association
- National Sheriffs' Association

Several federal agencies are liaison members of NPSTC. These include the Department of

Homeland Security (the Federal Emergency Management Agency, the Office of Emergency Communications, the Office of Interoperability and Compatibility, and the SAFECOM Program; Department of Commerce (National Telecommunications and Information Administration); Department of the Interior; and the Department of Justice (National Institute of Justice, CommTech Program). In addition, Public Safety Europe is also a liaison member. NPSTC has relationships with associate members, the Telecommunications Industry Association, the Canadian Interoperability Technology Interest Group, the National Council of Statewide Interoperability Coordinators, the Utilities Telecom Council and the Alliance for Telecommunications Industry Solutions.

NPSTC Comments

1. Consolidation of the Public Safety Broadband Technical Service Rules

FirstNet's comments support consolidating the technical service rules governing the public safety broadband spectrum into Part 90 of the rules, as the Commission proposed. FirstNet's comments support this consolidation. Currently, the technical service rules are separated into both Part 27 and Part 90 of the rules. This bifurcation of the rules stems from the original plan for the spectrum in which the 763-768/793-798 MHz band was designated for public safety broadband use and governed under Part 90 while the spectrum at 758-763/788-793 MHz was designated as the commercial D block and governed under Part 27 of the rules. Subsequently this D block spectrum was reallocated to public safety. Accordingly, the public safety broadband spectrum now consists of the combined 758-768/788-798 MHz spectrum.

In its previous comments submitted in this proceeding in response to the Commission's NPRM, NPSTC supported consolidating the technical service rules into Part 90 as proposed and as FirstNet now also supports. Accordingly, NPSTC also supports FirstNet on this issue. Such a

consolidation is a logical outgrowth of the reallocation of the D block spectrum to public safety. These technical service rules, together with other provisions yet to be defined by FirstNet, the nationwide licensee of the spectrum, will form the basis for operations in the public safety broadband spectrum.

2. Broadband Equipment Authorization

In issuing the NPRM, the Commission suspended acceptance and processing of applications for equipment authorization on the public safety broadband spectrum pending the adoption of technical service rules applicable to the band. FirstNet, along with other commenters to the NPRM, recommended the Commission take swift action to accept applications and issue equipment authorizations for the 10+10 MHz of public safety spectrum.

NPSTC agrees with FirstNet and other commenters that resuming equipment authorizations for the public safety broadband is essential and that such authorizations should cover the full 10+10 MHz of public safety broadband spectrum.³ Fortunately, the Commission does not need to start from scratch to do so. Prior to suspending equipment authorizations in connection with the NPRM, the Commission did issue such authorizations for equipment in the original 5+5 MHz band of public safety spectrum. NPSTC urges the Commission to move forward without further delay to utilize the revised technical rules as proposed in the NPRM and issue equipment authorizations for equipment that operates over the full 10+10 MHz of public safety broadband spectrum.

³ "FirstNet concurs with the many commenters that urge the Commission to expedite a process to certify equipment for the FirstNet spectrum license." NTIA/FirstNet comments on page 3.

3. Retaining the Guardband

The FirstNet comments state that “At this time, the Commission should retain the current 700 MHz guardband (768-769/798-799 MHz), to enable the guardband to continue serving as a “buffer” between public safety broadband and narrowband spectrum.”⁴ NPSTC agrees with this recommendation and further recommends that broadband operation not be allowed in the guardband.⁵ When the Commission revised the 700 MHz bandplan in 2007 to enable public safety broadband operations, it was well established in comments from across public safety and multiple industry representatives that such a guardband is needed. FirstNet’s comments also indicate that its plan “...could necessitate a change in the status of the public safety guardbands.”⁶ However, no specific FirstNet plans have been revealed that would cause consideration of such a change at this time. To the extent specific plans are revealed in the future, NPSTC urges the Commission to seek comment at that time on the impact of changing the status of the guardband.

4. Incumbent Users on Public safety Broadband Spectrum

FirstNet defers any comments on the most appropriate transition for incumbent users currently operating on what is now public safety broadband spectrum, as it has just begun its state-by-state consultation process. In its previous comments in response to the Commission’s NPRM, NPSTC recommended that relocation costs for Narrowband 700 MHz systems operating in the broadband spectrum be considered an eligible expense for broadband deployment funds Congress has

⁴ NTIA/FirstNet comments at page 3.

⁵ As noted in section 4 of these and previous NPSTC comments in this proceeding, we believe a portion of the guardband would be useful for narrowband vehicular repeater operations and could be used for that purpose without causing interference to adjacent narrowband spectrum.

⁶ NTIA/FirstNet comments at page 3.

provided to FirstNet. NPSTC also recommended a process to implement the relocation once the availability of funding is confirmed and that such a process should include availability of a portion of the 700 MHz public safety guardband spectrum for narrowband vehicular repeater operation.

NPSTC stands by those recommendations.

Conclusion

NPSTC supports the comments of FirstNet that recommend the Commission 1) consolidate the technical service rules for the public safety broadband network under Part 90 of the rules; 2) move forward expeditiously to issue equipment authorizations for the 10+10 MHz of public safety broadband spectrum; and 3) retain the guardband between the public safety broadband and narrowband spectrum blocks. NPSTC also reaffirms its previous recommendation that relocation costs for narrowband 700 MHz operations in the public safety broadband spectrum be an eligible expense under FirstNet's broadband deployment funding and that a process be developed for the narrowband relocation. That process should include availability of a portion of the 700 MHz public safety guardband spectrum for narrowband vehicular repeater operation.

Respectfully submitted,



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