

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

In the Matter of)	
)	
)	
NATIONAL FREQUENCY)	WT Docket No. 14-75
COORDINATION, LLC Request to be)	
Certified as a Part 90 Frequency Coordinator)	

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

The National Public Safety Telecommunications Council (NPSTC) submits these Reply Comments in response to the Commission’s Public Notice in the above-captioned proceeding.¹ In these Reply Comments, NPSTC joins the Land Mobile Communications Council (LMCC), APCO International (APCO), the American Association of State Highway and Transportation Officials (AASHTO), the International Association of Fire Chiefs (IAFC), the International Municipal Signal Association (IMSA) and the Forestry Conservation Communications Association (FCCA) in opposing the request of National Frequency Coordination, LLC.

¹Wireless Telecommunications Bureau Seeks Comment on Requests of National Frequency Coordination, LLC to be

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 for 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 and the Utilities Telecom Council and the Alliance for Telecommunications Industry Solutions.

NPSTC Comments

In its Public Notice, the Commission seeks comments on the request of the National Frequency Coordination, LLC (NFC) to be certified as a Part 90 frequency coordinator. As pointed out in the comments of the Land Mobile Communications Council (LMCC), APCO International (APCO), the American Association of State Highway and Transportation Officials (AASHTO), and joint comments of the International Association of Fire Chiefs (IAFC), the International Municipal Signal Association (IMSA) and the Forestry Conservation Communications Association (FCCA), NFC does not appear to be representative of the land mobile user base for which it seeks to be certified as a coordinator. For example, the joint comments of IAFC, IMSA, FCCA state:

NFC falls far short of fulfilling these requirements. NFC has not demonstrated that it either represents public safety users specifically or PLMR users generally. Indeed, NFC has failed to make any statement about the types of entities that it represents, let alone indicate that it can represent public safety entities.²

Therefore, NPSTC supports those commenters in recommending that the Commission deny the request of NFC.

² Joint Comments at page 5.

NPSTC itself does not perform frequency coordination.³ However, NPSTC is well aware of the important role that private-sector frequency coordination has played in the effective and efficient use of the Part 90 spectrum bands since 1958.⁴ Organizations that need specialized mission-critical or business-critical communications rely heavily on Part 90 radio spectrum.

Operational requirements applicable to the Part 90 services have become more diverse and complex over the years. Concurrently, technology has also advanced to help keep pace with these operational requirements. The Commission's Part 90 rules and policies have followed a parallel path to help respond to user needs. Together, this expansion of operational requirements, the advancement of technology and periodic modifications to Commission rules have resulted in a spectrum environment today that supports analog, digital, conventional, trunked, voice and data systems, with some in shared spectrum and others licensed on a more protected basis.

The resulting LMR spectrum environment is increasingly more complex and crowded. Also, understanding and meeting the detailed requirements in Part 90 of the rules is essential to maximize use of the spectrum in the most effective and efficient manner. It is essential that public safety and industrial/business users be served by frequency coordinators that represent the respective user bases for which they coordinate, possess the requisite technical skills and coordination experience, understand the many nuances of the Commission's Part 90 rules and provide coordination in a fair and equitable manner.

As described in the LMCC comments and confirmed by NPSTC, NFC also has overlapping business interest with entities that have applied for frequencies that NFC seeks to coordinate.

³ Some of NPSTC's Member organizations do provide Part 90 frequency coordination services.

⁴ The Comments of LMCC notes that the coordination process has been in place since 1958, was formalized in 1986 and was modified to provide for competitive coordination in 1997. LMCC Comments at page 3.

NPSTC concurs with the LMCC that “This represents, at a minimum, the appearance of a conflict of interest that is entirely inconsistent with the historical frequency coordination environment.”⁵

Therefore, NPSTC seriously questions whether NFC is positioned to provide frequency coordination in a fair and equitable manner.

Conclusion

The complex and crowded spectrum environment in which public safety and industrial/business users operate demands valid frequency coordination applied in a fair and equitable manner. Given the concerns about NFC’s qualifications and ability to provide fair and equitable coordination, NPSTC joins APCO, AASHTO, FCCA, IAFC, IMSA and LMCC in opposing NFC’s request to be certified as a Part 90 frequency coordinator.

Respectfully submitted,



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⁵ LMCC Comments at page 7.