

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

In the Matter of

	)	
Petition for Rulemaking to Amend the Band	)	
Plan for the 764-776 MHz and 794-806 MHz	)	RM-11433
Public Safety Bands	)	

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

The National Public Safety Telecommunications Council (NPSTC) submits this reply to the comments filed in response to its *Petition for Rulemaking (Petition)* addressing the 700 MHz narrowband channels.<sup>1</sup> The comments overwhelmingly support the Petition’s recommendations. NPSTC urges the Commission to move forward expeditiously to seek notice and comment from the public as part of a formal rulemaking. The recommended changes will make a meaningful contribution to public safety communications.

**The NPSTC *Petition for Rulemaking***

NPSTC’s *Petition* presents five recommendations to enhance public safety communications relating to the 700 MHz public safety narrowband channels. The *Petition* proposes that the Commission’s rules be amended to retain but one of the two sets of Nationwide Interoperability Calling Channels and to re-designate the other set (681/1641 and 682/1642 MHz) as a “Nationwide Interoperability Travel Channel.” The *Petition* proposes allowing secondary voice communications on one set of the Nationwide Interoperability Data Channels. To respond to catastrophic incidents, large or small, with modern trunking technology, a series of currently designated reserved channels would be committed to rapidly deployable trunked

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<sup>1</sup> In the Matter of Petition for Rulemaking to Amend the Band Plan for the 764-776 MHz and 794-806 MHz Public Safety Bands, *Public Notice*, DA 08-1422, RM-11433 (June 16, 2008) .

systems. Finally, the rules addressing low power analog operations on itinerant interoperability channels at the band edges should be revised to promote more effective use in such environments.

### **Responses to the Petition**

Eight comments were filed in response to the *Petition*. Seven comments strongly support the *Petition* and urge the Commission to commence a rulemaking proceeding to implement the recommendations.<sup>2</sup> One comment opposed the recommendation to designate reserved channels for deployable trunked systems.<sup>3</sup>

The comments make clear that the *Petition* proposes discrete and valuable changes to the Commission's rules to permit public safety agencies to respond to increasing demands and advances in technology. The proposal to eliminate one set of interoperability channels recognizes actions of the Congress and the Commission with regard to the 700 MHz narrowband structure, the most significant of which is the definitive broadcast television transition date.

Allowing secondary voice operations on the data interoperability channels preserves the Commission's intent while affording local agencies flexibility. Designating channels for deployable trunking capability recognizes the advances that allow trunked systems to be dispatched quickly and efficiently to an incident area. Such capability is crucial in circumstances where network infrastructure has been devastated or operational conditions require the network infrastructure to be augmented.

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<sup>2</sup> Comments of the State of California, Department of General Services, Telecommunications Division (July 16, 2008), Joint Comments of the International Municipal Signal Association (IMSA) and the International Association of Fire Chiefs, Inc. (IAFC) (July 16, 2008), Comments of Motorola, Inc. (Motorola) (July 16, 2008), Comments of Region 49 (Central Texas) 700 MHz Regional Planning Committee (July 16, 2008), Comments of Region 39 (Tennessee) 700 MHz Regional Planning Committees (July 16, 2008), Comments of the National Regional Planning Council (July 16, 2008) and Comments of the American Association of State Highway Transportation Officials (AASHTO) (June 30, 2008).

<sup>3</sup> Comments of the Commonwealth of Virginia (July 16, 2008).

The IMSA/IAFC's joint comment emphasizes the significant challenge fire service communications face and the need for Commission action. Vocoders in digitally modulated two-way portable radios must be able to reliably synthesize voice communications in the presence of background noise (non-RF). This continues to be a matter of significant concern within the public safety community. The IMSA/IAFC joint comments indicate that moving the proposals to the rulemaking process will promote greater clarity of these challenges and assist all public safety communications.

Motorola, in supporting the *Petition*, also recommends that the Commission pursue a NPSTC proposal presented in the 700 MHz *Second Notice of Proposed Rulemaking*. This proposal addresses the challenges faced by vehicle repeaters in the context of the restructuring the narrowband voice channels.<sup>4</sup> NPSTC agrees that the Commission should expeditiously address vehicular repeater use of a portion of the 700 MHz guard band as part of its current proceeding regarding the D block spectrum. If that is not possible, the vehicular repeater issue should be included in the further proceeding responding to the *Petition*.

Motorola does note concern regarding the *Petition's* proposed power increase of 20 watts on the itinerant channels, suggesting there is a higher potential for interference between uncoordinated 20 watt operations. It also recommends that the Commission seek comment on increasing the transmitter output power for mobile/portable devices operating on the low power channels from 2 watts to 3 watts, thereby assisting in building coverage. NPSTC believes the Motorola comments contribute to the foundation now established for the Commission to

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<sup>4</sup> NPSTC Comments at 25 (June 20, 2008), In the Matter of the Service Rules for the 698-746, 747-762 and 777-792 MHz Bands and Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band, *Second Further Notice of Proposed Rulemaking*, WT Docket 06-150 and PS Docket No. 06-229, FCC 08-128 (released May 14, 2008).

commence a rulemaking and should be included as part of the request for comment leading to final rules.

The *Petition's* recommendations are consistent with the Commission's original intent associated with the 700 MHz public safety narrowband channels. The changes respond to limited, clearly defined and substantiated public safety needs while preserving Commission discretion in the 700 MHz band. The near unanimity reflected in the comments indicates the important advances a Commission rulemaking will bring about.

NPSTC commends and appreciates the Commission's expeditious examination of the *Petition*. We urge that the *Petition's* proposals be included in the next Commission proceeding examining the 700 MHz band.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ralph A. Haller", with a long horizontal flourish extending to the right.

Ralph A. Haller, Chair  
National Public Safety Telecommunications Council  
8191 Southpark Lane, Number 205  
Littleton, Colorado 80120  
866.807.4755

July 31, 2008

## Certification of Service

On July 31, 2008, a copy of this *Reply* of the National Public Safety Telecommunications Council was provided to the following individuals via electronic mail or the United States Postal Service:

Gary R. Grootveld, Chief  
Office of Public Safety Communications  
California Department of General Services  
601 Sequoia Pacific Boulevard  
Sacramento, California 95811

C. Douglas Jarrett, Esquire  
Gregory E. Kunkle, Esquire  
Attorneys for the International Municipal Signal Association and the International Association of Fire Chiefs, Inc.  
Keller and Heckman  
1001 G Street, NW  
Washington, D.C. 2001

Steve B. Sharkey, Senior Director  
Kimberly Baum, Assistant Director  
Motorola, Inc.  
1455 Pennsylvania Avenue, NW  
Washington, D.C. 2004

Ron Mayworm, Chair  
Region 49 700 MHz Regional Planning Committee  
Central Texas  
Post Office Box 1585  
Bryan, Texas 77806

Peter E. Broadbent, Jr., Esquire  
Attorney for the Commonwealth of Virginia  
Christian & Barton  
909 East Main Street  
Richmond, Virginia 23219

James W. Johnson, Chair  
Region 39 700 MHz Regional Planning Committee  
3041 Sidco Drive  
Nashville, Tennessee 37204

Alan Bull, Chair  
National Regional Planning Council  
Post Office Box 7912  
Madison, Wisconsin 53707

William K. Brownlow  
Telecommunications Manager  
American Association of State Highway Transportation Officials  
444 North Capitol Street, NW  
Washington, D.C. 20001

/S/ John E. Logan