



# PUBLIC NOTICE

Federal Communications Commission  
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## PUBLIC SAFETY AND HOMELAND SECURITY BUREAU MAKES AVAILABLE THE RECOMMENDATIONS OF THE TECHNICAL ADVISORY BOARD FOR FIRST RESPONDER INTEROPERABILITY

### PS Docket 12-74

#### Comments Due: May 31, 2012

By this Public Notice, the Public Safety and Homeland Security Bureau (Bureau) makes available the recommendations of the Technical Advisory Board for First Responder Interoperability (Interoperability Board or Board), established pursuant to the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act).<sup>1</sup> The recommendations are posted in the above-captioned docket.

In light of the 30-day statutory deadline for transmittal of these recommendations to the First Responder Network Authority (FirstNet),<sup>2</sup> any comments must be filed no later than **5 business days** from the date of this notice, or by **May 31, 2012**, and may **not exceed 5 pages in length**.

To facilitate the collection of information, we previously designated PS Docket No. 12-74 as exempt under the *ex parte* rules.<sup>3</sup> However, we find it to be in the public interest to modify the status of this proceeding<sup>4</sup> and redesignate it as “permit-but-disclose” pursuant to Section 1.1206 of the Commission’s rules with respect to *ex parte* presentations made after the date of this notice.<sup>5</sup> We will continue to treat Interoperability Board members as Commission decision-making personnel for purposes of the *ex parte* rules.<sup>6</sup> Accordingly, they will not be subject to *ex parte* limitations and reporting requirements that apply to persons who are not decision-making personnel when making presentations regarding restricted or permit-but-disclose proceedings. Presentations by interested parties to Interoperability Board members should be documented in an appropriate *ex parte* notice filed in the docket.

Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different

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<sup>1</sup> See Middle Class Tax Relief and Job Creation Act of 2012 § 6203(b)(1)(A), Pub. L. No. 112-96, 126 Stat. 156 (2012)(Spectrum Act).

<sup>2</sup> Spectrum Act § 6203(c)(3).

<sup>3</sup> FCC Establishes a Public Docket for Providing Input to the Technical Advisory Board for First Responder Interoperability and Announces Board Leadership and Changes to the Board Membership, PS Docket No. 12-74, *Public Notice*, DA 12-474 (Mar. 26, 2012).

<sup>4</sup> Pursuant to Section 1.1200(a) of the rules, the Commission and its staff retain the discretion to modify the applicable *ex parte* rules by order, letter, or public notice. 47 C.F.R. § 1.1200(a).

<sup>5</sup> 47 C.F.R. § 1.1206.

<sup>6</sup> See 47 C.F.R. § 1.1200(a).

deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments on or before the date indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

For further information, please contact Jennifer A. Manner, Deputy Chief, Public Safety and Homeland Security Bureau, at 202-418-3619 or [jennifer.manner@fcc.gov](mailto:jennifer.manner@fcc.gov).

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