

Statement of Commissioner Jonathan S. Adelstein
***En Banc* Hearing On Public Safety Interoperable Communications**
And The 700 Mhz D Block Proceeding

Brooklyn, New York
July 30, 2008

I would like to thank Chairman Martin for holding this hearing on the important issue of public safety interoperable communications. And I am very pleased that we have here with us today such a broad representation of industry -- carriers, network providers and manufacturers, and national and local public safety representatives. Once again, we are at a critical juncture in developing rules to bring about a nationwide interoperable network for public safety and your input is vital to the success of the challenge we face.

Our nation's public safety is perhaps the most paramount issue for this Commission. It is critical that we provide the best leadership possible to ensure that communications are fully operational during the most serious events that impact our citizens and our families. Yet here we are, seven years after the terror that occurred from the skies above Washington, DC, Pennsylvania and this great city of New York, and our country is shamefully still without a national interoperable public safety broadband network.

Though today I expect to hear differing thoughts on how to implement a national interoperable network for public safety, surely we all agree that our first responders need the best technology and the best communications network possible. This Commission finds itself in the position of being the agency that has a key role to play in improving our nation's disaster preparedness, network reliability, and communications among first responders. We must not take lightly this opportunity to realize an interoperable network for public safety and our responsibility to promote "safety of life and property."

Broadband infrastructure and broadband networks offer unprecedented opportunities for improving and harmonizing the capabilities of our public safety community. The 700 MHz D block spectrum has presented an avenue via a public/private partnership for us to enhance our nation's public safety communications and address the unmet needs of public safety. And while our first go round was, in short, a failure, we have a second opportunity to get this right. As we move forward, we must keep the priorities of interoperability, network reliability and service features, and economic feasibility in the forefront. We must also lay out the technical specifications and any geographic variances in sufficient detail to ensure potential bidders can make rational decisions regarding bid strategies and financial viability.

So as we look to formulating new rules, we need to explore all aspects of proposals intended to help public safety keep pace. As demonstrated in the comments in this proceeding, and as the written testimonies of the panelist here today reveal, there are a multitude of highly complex elements regarding the technical parameters of the public safety network. These elements factor directly into widely disparate performance and

cost variances. We will need to work closely with public safety and potential commercial partners to narrow these issues and create a framework that is successful.

While I continue to support the public-private partnership, we have our work cut out for us. What if we hold an auction and nobody comes? We have no guarantee that anyone will bid on this spectrum. In light of this reality, we need to ascertain as much as possible upfront to maximize our chances of success. So I look forward to hearing from you today on the benefits and drawbacks of the various modifications to the technical and service rules we previously adopted. In particular, I am interested in hearing in more detail about the various proposals submitted in the record regarding alternatives to nationwide licensing, including options for regional licensing or otherwise partitioning license areas in such a way that might attract multiple bidders and still serve the needs of public safety. What are the advantages of building a framework for local build-out via a “network of networks” approach and how can we also ensure interoperability in this context? I would also like to hear from you about the extent to which modifications to geographic buildout requirements, license term and service features impact the economic realities of building out the spectrum. What options are available to us for aggregating other spectrum along with the D block and how might that better meet the needs of public safety? How do we better define the role of the Public Safety Trust and its interplay with the commercial entity?

I do not have the answers to these and the many other questions that need to be asked about the re-auction of the D block spectrum. In order to move forward successfully, we will need to rely on the input of all of you, potential private sector partners, the financial community, as well as public safety. Only with this vital input will we be well positioned to provide detailed guidance on the many elements of a re-auction.

I thank all of you for being here today and look forward to hearing your testimony.