



NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC GRANTS CONDITIONAL APPROVAL OF 21 PETITIONS BY CITIES, COUNTIES AND STATES TO BUILD INTEROPERABLE BROADBAND NETWORKS FOR AMERICA'S FIRST RESPONDERS

Action Brings America Significantly Closer to Building a Nationwide Public Safety Broadband Network...

Washington, D.C. -- The Federal Communications Commission (FCC) today granted conditional approval of 21 petitions filed by cities, counties and states that sought waivers to move forward with the construction of regional or statewide interoperable wireless broadband networks in the 700 MHz public safety broadband spectrum. The Commission required these broadband networks to be deployed under a common interoperability framework in coordination with the FCC's Emergency Response Interoperability Center (ERIC). This common framework will ensure that all networks being deployed are technically compatible and fully interoperable.

The Order adopted today provides a path forward for states and local jurisdictions to proceed with the deployment of interoperable public safety broadband networks under uniform terms and conditions set forth under the waiver approvals. It also represents a critical first step towards the deployment of a fully nationwide interoperable network.

"Today's action brings America significantly closer to creating a nationwide public safety broadband network that will enable first responders to quickly communicate and share critical, time-sensitive information with each other during emergencies," FCC Chairman Julius Genachowski said. "We stand ready to assist public safety in their efforts to maximize the federal resources available to them to deploy these mobile broadband networks across the nation."

In order to ensure compatibility and interoperability of public safety broadband networks, the Order set forth the following conditions that each waiver recipient must meet:

- Comply with certain initial technical requirements, including:
 - Nationwide network interoperability;
 - Mandatory use of the Long Term Evolution (LTE) air interface standard, recognizing the unique circumstances associated with the 700 MHz band and the need to achieve interoperability;
 - Network support for certain applications, including access to the Internet, to an incident command system, and to field-based server applications; and
 - Use of certain system characteristics, including security features.
- Submit technical deployment and conformance testing plans to ERIC, specifically including plans for achieving and maintaining interoperability with all public safety broadband

network deployments in the 700 MHz band. Petitioners must also implement all phases of technical requirements adopted by the Commission.

- Participate in demonstration network testing being sponsored by the NIST/NTIA Public Safety Communications Research program and the District of Columbia.
- Offer service and/or access to all designated public safety agencies within the network coverage area.
- Enter into a standard form spectrum lease with the Public Safety Spectrum Trust (PSST), which holds the national license for the public safety broadband spectrum. The PSST may charge a limited administrative fee as part of the lease arrangement, but only after first submitting a proposed budget for public comment and approval by the Public Safety and Homeland Security Bureau.
- Submit quarterly progress reports to the Commission, in consultation with the PSST.

With respect to the designation of the LTE air interface standard, the FCC stated that it was not endorsing LTE technology, but noted that requiring a single air interface standard for 700 MHz waiver applicants was reasonable to ensure interoperability.

Overall, the FCC granted conditional relief to all states, counties, and cities that have submitted waiver petitions. The Commission denied the waiver request submitted by Flow Mobile, a commercial vendor, because commercial entities are ineligible under existing law to be licensed on the public safety spectrum. The following cities, counties, and states were granted waivers:

Adams County, CO
Alabama
Boston, MA
Northern California Consortium (Oakland, San Francisco, and San Jose)
Charlotte, NC
Chesapeake, VA
District of Columbia
Hawaii and Counties of Maui, Hawaii, Kauai, and City and County of Honolulu
Iowa
Los Angeles County
Mesa, AZ and TOPAZ Regional Wireless Cooperative
Mississippi
New Jersey
New Mexico
New York City
New York State
Oregon
Pembroke Pines, FL
San Antonio, TX
Seattle, WA
Wisconsin Consortium (Calumet, Outagamie and Winnebago Counties)

Action by the Commission, May 11, 2010, by Order (FCC 10-79). Chairman Genachowski, and Commissioners Copps, McDowell, Clyburn and Baker.

For additional information on the Order, please contact David Furth, Deputy Bureau Chief of the FCC's Public Safety and Homeland Security Bureau, at (202) 418-0632.

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