

Congress of the United States
Washington, DC 20515

May 7, 2010

0768

Chairman Julius Genachowski
Federal Communication Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Genachowski:

We are writing to request that the Federal Communications Commission (FCC) review and give all due consideration to a waiver request made by the State of New Jersey that would facilitate the deployment of a statewide public safety broadband network. The State's Petition was filed on April 3, 2009, and seeks early deployment under the FCC's rules of an interoperable 700 MHz broadband network.

As you know, in 2004, the 9/11 Commission found that First Responders' inability to communicate with each other was a critical issue on 9/11, as the communications systems of the multiple jurisdictions that responded to the crash sites could not interoperate with one another. To solve the problem, the 9/11 Commission recommended that Congress expedite increased assignment of radio spectrum for our nation's First Responders. Congress did so with the enactment of the Digital Television Transition and Public Safety Act of 2005. Five years later, and despite ongoing FCC proceedings in this matter, spectrum in the 700 MHz band dedicated for public safety broadband use is still not available for that purpose.

The State of New Jersey seeks early deployment of a Long Term Evolution (LTE) interoperable wireless broadband network, the technology of choice by public safety nationwide, thus ensuring nationwide interoperability, market competition, and scale. The First Responder community in New Jersey believes that next generation broadband technology is needed now, so they can capitalize on broadband applications that will include: streaming video, digital imaging, automatic vehicle location, computer-aided dispatching, mapping/GIS, remote database access, report management, web access, and other bandwidth intensive applications yet to be developed.

Finally, as part of the American Recovery and Reinvestment Act, Congress created the Broadband Technology Opportunities Program (BTOP), and directed the National Telecommunications and Information Administration (NTIA) to issue grants for the purpose of, among others, improving access to, and use of, broadband service by public safety entities. The State of New Jersey has filed an application with NTIA's BTOP, which would provide for middle mile capacity throughout the state, and includes LTE deployments benefiting public safety in a number of counties. Action on New Jersey's waiver is critical for ensuring that New Jersey's BTOP application can be reviewed and considered with competing BTOP applications in a timely manner.

We encourage the FCC to review and give all due consideration to New Jersey's waiver request.

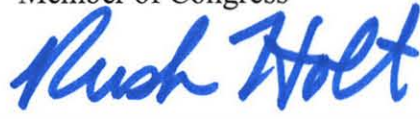
Thank you for your consideration.

Sincerely,

  
FRANK LAUTENBERG FRANK PALLONE JR. ROBERT MENENDEZ
United State Senator Member of Congress United States Senator


JOHN ADLER
Member of Congress


ALBIO SIRE
Member of Congress


RUSH HOLT
Member of Congress


LEONARD LANCE
Member of Congress


BILL PASCRELL
Member of Congress


ROB ANDREWS
Member of Congress


STEVE ROTHMAN
Member of Congress


DONALD PAYNE
Member of Congress

cc: Commissioner Meredith Attwell Baker
Commissioner Mignon Clyburn
Commissioner Michael J. Copps
Commissioner Robert M. McDowell