



June 4, 2015

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

RE: PS Docket 13-87, TIA Ex Parte Response to  
NPSTC Ex Parte Dated May 28, 2015 and Filed May 29, 2015

Dear Ms. Dortch:

The Telecommunications Industry Association hereby respectfully files this response to the May 28, 2015 ex parte from the NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL (“NPSTC”) filed February 23, 2015, regarding the ongoing discussions pertaining to the Petition for Reconsideration<sup>1</sup> submitted by the Telecommunications Industry Association (“TIA”) concerning the Project 25 Compliance Assessment Program (“P25 CAP”) certification.

TIA strongly supports the P25 CAP program. We agree with NPSTC on the importance of ensuring P25 interoperability on the thirty-two, 700 MHz narrowband spectrum (769-775/799-805 MHz) interoperability channels, per 90.548 of the rules.

The TIA Petition for Reconsideration expressed concerns about P25 CAP certification required at the time of FCC equipment certification and the NPSTC Reply<sup>2</sup> iterated NPSTC concerns that such equipment must be shown to comply to P25 CAP prior to sale or delivery. Subsequently the NPSTC and TIA conducted off-line discussions on the timing and issues of P25 CAP certification as applied to the public safety 700 MHz interoperability channels. As noted by the NPSTC in their Ex Parte<sup>3</sup>, the discussions between NPSTC and TIA resulted in agreement that “the timing of tying P25 CAP certification to FCC equipment certification can be problematic for manufacturers as FCC equipment certification may normally be done much earlier in the process”. The TIA supports this conclusion and thanks the NPSTC for stating it in their ex parte. Having reached agreement on discussion of this point, TIA believes it is now appropriate to consider the language of

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<sup>1</sup> Telecommunications Industry Association, Petition for Reconsideration, PS Docket No. 13-87 (Jan 2, 2015).

<sup>2</sup> National Public Safety Telecommunications Council, Reply, PS Docket No. 13-87 (Feb 23, 2015)

<sup>3</sup> National Public Safety Telecommunications Council, Ex Parte, PS Docket No. 13-87 (March 28, 2015)

the current rule associating P25 CAP documentation with applications for certification of equipment authorized to operate on the public safety 700 MHz interoperability channels and how this could be addressed in Parts 2 and 90 of the rules.

Noting the new language for §2.1033 Application for certification (c)(20), excerpted below.

**§2.1033 Application for certification.**

\* \* \* \* \*

(c) \* \* \*

(20) Applications for certification of equipment operating under Part 90 and capable of operating on the 700 MHz interoperability channels (See 90.531(b)(1)) shall include a Compliance Assessment Program Supplier's Declaration of Conformity and Summary Test Report or, alternatively, shall include a document detailing how the applicant determined that its equipment complies with § 90.548

and that the equipment is interoperable across vendors.

Noting the NPSTC and TIA have achieved agreement that requiring P25 CAP at the time of application for equipment authorization is problematic, the TIA suggests that §2.1033 Application for certification (c)(20) should be removed.

To address the NPSTC's desire for independent verification of interoperability, in their ex parte summary, the NPSTC also suggests "the Commission modify the rules as needed to ensure that P25 equipment in the 700 MHz band meets the P25 CAP certification prior to the equipment being delivered and/or deployed". TIA acknowledges the benefit of independent certification and fully supports independent certification that 700 MHz P25 products actually meet the P25 standard and can interoperate with other P25 devices.

TIA also fully supports the independent certification intended by the P25 CAP. However, TIA has concerns about the sustainability of the P25 CAP over time and the continuing alignment of the public safety 700 MHz interoperability needs with the scope of the P25 CAP. Should the commission decide to further address the NPSTC suggestion for mandating P25 CAP certification prior to the equipment being delivered and/or deployed TIA recommends consideration of alternate proof of interoperability such as a Declaration of Conformity (reference §2.906 Declaration of Conformity excerpt below) in the event that the CAP fall short of current or future expectations for independent certification of required interoperability.

**§2.906 Declaration of Conformity.**

(a) A Declaration of Conformity is a procedure where the responsible party, as defined in §2.909, makes measurements or takes other necessary steps to ensure that the equipment

complies with the appropriate technical standards. Submittal of a sample unit or representative data to the Commission demonstrating compliance is not required unless specifically requested pursuant to §2.1076.

(b) The Declaration of Conformity attaches to all items subsequently marketed by the responsible party which are identical, as defined in §2.908, to the sample tested and found acceptable by the responsible party.

Further, TIA notes that §90.548(a) & (b) currently contain the provisions that “Transmitters designed after August 11, 2014 to operate on the narrowband interoperability channels in the 769-775 and 799-805 MHz band (see §90.531) shall conform to the following technical standards”, such standards being pertinent Project 25 documents from the TIA-102 series of standards. Thus §90.548 already requiring P25 Standards based interoperability, seems like a logical place to address the NPSTC’s suggestion for requiring CAP certification. To address the NPSTC’s desire for CAP certification and the TIA’s concern about sustainability of the CAP, TIA suggests the following for §90.548.

**§ 90.548 Interoperability Technical Standards.**

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(c) Equipment certified by the P25 Compliance Assessment Program and having Supplier’s Declaration of Compliance and supporting Summary Test Report approved by the Compliance Assessment Program is presumed to comply with this section. Alternatively, for equipment that is not certified by the P25 Compliance Assessment Program, documentation such as a Declaration of Conformity described in §2.906 shall be provided detailing how the equipment is interoperable across vendors.

In summary, the TIA strongly supports the P25 CAP and will continue to work with NPSTC and the Commission to determine how best to apply P25 CAP and ensure interoperability across vendors in the offering of P25 systems and equipment to public safety P25 system operators and users.

Respectfully submitted,

**TELECOMMUNICATIONS INDUSTRY ASSOCIATION**

By: /s/ Mark Uncapher

Mark Uncapher  
Director, Government Affairs

**TELECOMMUNICATIONS INDUSTRY ASSOCIATION**  
1320 Court House Road  
Suite 200  
Arlington, VA 22201  
(703) 907-7700