



March 25, 2013

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: *Ex Parte* Submission – PS Docket No. 12-94; PS Docket No. 06-229;
WT Docket No. 06-150

Dear Ms. Dortch:

On Thursday, March 21, 2013, Danielle Coffey and Mark Uncapher of the Telecommunications Industry Association (“TIA”),¹ along with Kevin Krufky of Alcatel-Lucent, Derek Khlopin of Nokia Siemens Networks, Michael Paroby of EADS-N.A./Cassidian Communications, Chuck Powers of Motorola Solutions, Mark Racek of Ericsson and Patrick Sullivan of Harris met with David S. Turetsky, Chief of the FCC’s Public Safety and Homeland Security Bureau (“PSHSB”), in addition to Gene Fullano, Brian Hurley, and Erika Olsen of PSHSB.

In this meeting, TIA outlined the concerns expressed in TIA President Grant Seiffert’s recent letter to Chairman Genachowski regarding the freeze in equipment authorizations for Band 14 products. This letter, dated February 25, 2013, is appended to this *ex parte* notice.

The industry representatives lauded the March 8th release of the Commission’s 700 MHz Public Safety Broadband NPRM.² While paragraph 33 of the NPRM makes explicit a suspension of the acceptance and processing of any new equipment authorizations in the public safety broadband bands, the main concern raised in the February 25th letter, the representatives expressed their understanding of the legal context requiring a proceeding and their appreciation for the movement toward addressing their concerns.

¹ TIA is a Washington, DC-based trade association and standard developer that represents the global information and communications technology (ICT) industry through standards development, advocacy, tradeshow, business opportunities, market intelligence and world-wide environmental regulatory analysis. For over eighty years, TIA has enhanced the business environments for broadband, mobile wireless, information technology, networks, cable, satellite, and unified communications. TIA represents approximately 500 participating companies producing products and services empowering communications in every industry and market, including healthcare, education, security, public safety, transportation, government, the military, the environment, and entertainment. TIA is an accredited standard development organization for the ICT sector by the American National Standards Institute (ANSI).

² 700 MHz Public Safety Broadband *Notice of Proposed Rulemaking*, PS Docket No. 12-94; PS Docket No. 06-229; WT Docket No. 06-150 (rel. March 8, 2013) (“NPRM”).

The representatives stressed the importance for the Commission, as well as other entities involved in the process such as the First Responder Network Authority (FirstNet), to act on this issue in a timely manner so that the public safety community's demand for National Public Safety Broadband Network-ready Band 14 LTE devices can be met. It was also noted that, because LTE is already a well-understood standard, industry can anticipate FirstNet's final requirements.

TIA also noted that there are First Responders with existing broadband devices, such as 3G devices used on commercial networks, are near, or at, the end of the product lifecycle. These jurisdictions want to secure products with LTE capability on a commercial band, while avoiding possible future duplicative costs, by obtaining Band 14-ready devices before the National Public Safety Broadband Network is operational. The uncertainty resulting from not having technical and services rules in effect for operation in Band 14 also impacts the product development cycle, such as the availability of chipsets for integration to user devices.

Pursuant to Section 1.1206 of the Commission's rules,³ this letter is being electronically filed via ECFS and a copy of this submission is being provided electronically to the meeting attendees.

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: /s/ Danielle Coffey

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cc: David S. Turetsky, Chief, PSHSB
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Brian Hurley, PSHSB
Erika Olsen, PSHSB

Attached: TIA President Grant Seiffert's February 25, 2013, letter to Chairman Genachowski

³ 47 C.F.R. § 1.1206.



February 25, 2013

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Genachowski:

On behalf of the Telecommunications Industry Association's (TIA) members, many of whom are driving innovation to deliver cutting edge LTE technologies for first responders, I urge you to restart the equipment authorization process for Band 14 products. The informal freeze on processing certification applications for Band 14 infrastructure and devices is frustrating the plans of jurisdictions that wish to deploy public safety broadband networks consistent with the approval of both the Federal Communications Commission (Commission) and the First Responder Network Authority (FirstNet).

TIA and its members laud the efforts of the Commission, FirstNet, and the National Telecommunications and Information Administration (NTIA) to create a Nationwide Public Safety Broadband Network (NPSBN) that is interoperable at the network and device levels. Prior to the Commission's transfer of the Public Safety Broadband License for the 758-769 MHz and 788-799 MHz bands (700 MHz Public Safety Band) the Commission was processing Band 14 devices through its equipment authorization processes. Many of these previously approved products, some manufactured by TIA members, have been used by first responders and Federal experts in test scenarios and early deployment networks to demonstrate the value of the NPSBN and Long-Term Evolution (LTE) technology to help first responders execute their duties.

However, upon transfer of the 700 MHz Public Safety Band license to FirstNet, equipment authorizations approvals for Band 14 products were frozen. TIA believes that the Commission's approval process should recommence for Band 14 products as was the custom prior to November 15, 2012. The lack of regulatory certainty caused by the equipment authorization freeze has the potential to chill investment in research and development for first responder LTE technology. Moreover, the freeze affects the ability of manufacturers to meet near-term demand for NPSBN-ready Band 14 LTE devices. For example, First Responders in several jurisdictions want to purchase devices now with Band 14 capabilities. Their existing broadband devices, including 3G devices used on commercial networks, are near or at the end of the product lifecycle. Jurisdictions across the country want to maximize costs of replacement devices and secure products with LTE capability on a commercial band as well as Band 14 so that they do not need to buy new broadband devices when the NPSBN is operational.

To ensure continued investment in LTE products for first responders, meet the near-term demand among them for cutting-edge technology, and further the shared goal of creating an interoperable NPSBN, TIA requests that the Commission immediately restart the Band 14 equipment authorization process. Existing FCC requirements now used for the approval of Band 13 devices provides an appropriate framework for Band 14 and will give assurance for quality, safety, and interoperability. Moreover, Section 4.3.2.6 on Device Test Life Cycle of the Technical Advisory Board for First Responder Interoperability's *Recommended Minimum Technical Requirements to Ensure Nationwide Interoperability for the Nationwide Public Safety Broadband Network* provides a clear path to device testing that could inform the Commission on this matter.

TIA once again thanks you and the Commission for your tireless efforts to ensure that first responders have broadband technologies that will make their operations even more effective. TIA believes that, to continue this effort, Band 14 equipment authorization must recommence.

I appreciate your prompt consideration of this matter.

Sincerely,



Grant Seiffert
President
Telecommunications Industry Association

Cc: Sam Ginn, First Responder Network Authority (FirstNet) Board Chairman
Lawrence Strickling, Assistant Secretary for Communications and Information and
Administrator, NTIA