

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band)	PS Docket No. 06-229
)	
Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010)	WT Docket No. 96-86
)	

To: The Commission

COMMENTS OF THE CONSUMER ELECTRONICS ASSOCIATION

The Consumer Electronics Association (“CEA”)¹ respectfully submits these comments in response to the Commission’s Notice of Proposed Rulemaking proposing a plan for a nationwide, broadband, interoperable public safety communications network in the 700 MHz public safety allocation.² CEA is committed to improving public safety communications. In 2004, for example, CEA developed the Public Alert™ logo and certification program for devices that allow consumers to monitor local, state and national government alerts issued through the

¹ CEA is the principal trade association promoting growth in the consumer technology industry through technology policy, events, research, promotion and the fostering of business and strategic relationships. CEA represents more than 2,100 corporate members involved in the design, development, manufacturing, distribution and integration of audio, video, mobile electronics, wireless and landline communications, information technology, home networking, multimedia and accessory products, as well as related services that are sold through consumer channels. Combined, CEA's members account for more than \$140 billion in annual sales.

² *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010*, PS Docket No. 06-229 & WT Docket No. 96-86, Ninth Notice of Proposed Rulemaking, FCC 06-181 (Dec. 20, 2006) (“*Ninth NPRM*”).

NOAA weather radio system.³ CEA supports the Commission's efforts to ensure that the 24 MHz of spectrum that public safety will soon gain access to is available for its highest use.

The Commission can accomplish the important public safety goals of broadband access and interoperability in a manner consistent with the Digital Television Transition and Public Safety Act of 2005 ("DTV and Public Safety Act").⁴ Further, an IP-based broadband public safety network that features open architecture and utilizes commercially available technologies and equipment will prove instrumental in advancing public safety's mission in an innovative, cost effective, and efficient manner.

I. A NATIONWIDE, INTEROPERABLE, BROADBAND PUBLIC SAFETY COMMUNICATIONS SYSTEM CAN AND SHOULD BE ESTABLISHED WITHOUT DISRUPTING THE DTV TRANSITION

Through the DTV and Public Safety Act, Congress established a February 17, 2009 hard deadline to complete the national transition to digital television and recover valuable spectrum in the 700 MHz band. This recovered spectrum will provide public safety with the 24 MHz of additional spectrum that the 9/11 Commission recommended for interoperability, and designating 12 MHz for broadband communications will ensure that first responders have the communications tools they need to perform essential public safety functions. Notably, an additional 60 MHz of recovered spectrum will be auctioned, and Congress has committed a significant amount of auction proceeds to important public policy initiatives. These include a \$1 billion grant fund to help public safety deploy interoperable communications in the 24 MHz, and funding for the National Alert and Tsunami Warning System, the ENHANCE 911 Act of 2004, and the Warning, Alert, and Response Network Act ("WARN Act"), not to mention the digital-

³ *PUBLIC ALERT™: Delivers Emergency All-Hazard Warnings, Everywhere, All the Time*. Public Alert devices "direct access to government emergency information 24-hours-a-day, with the ability to automatically prompt users with various types of audio and visual cues. The products are sophisticated enough to recognize specific alerts for specific geographic regions, while monitoring emergency conditions at the state and national levels. *Id.* at 1-2.

⁴ Deficit Reduction Act of 2005, Pub. L. No. 108-171, 120 Stat. 4, tit. III (2006).

to-analog converter box program.⁵ The Commission, therefore, must maintain the carefully crafted balance established by the DTV and Public Safety Act.

A unified, national system will promote public safety interoperability and efficient use of spectrum. According to a recent Criterion Economics report, the current approach to public safety communications, “which requires each local public safety organization to make independent decisions about its communications system without effective coordination”⁶ has led to a regime that is expensive, uses more spectrum than is necessary, and is beset by interoperability problems.⁷ A unified, national system, not additional spectrum beyond the 24 MHz currently allocated, will address the obstacles to interoperability that currently plague public safety communications systems.

II. THE COMMISSION SHOULD ENSURE THAT PUBLIC SAFETY BROADBAND COMMUNICATIONS RELY ON AN IP ARCHITECTURE FEATURING OPEN STANDARDS AND COMMERCIALLY AVAILABLE TECHNOLOGY AND EQUIPMENT

CEA supports the Commission’s observation that a public safety network that features modern, IP-based system architecture can achieve efficiency gains from the competitive environment created by open standards and the use of commercial, off-the-shelf technologies and devices.⁸ As one report recently noted, “[b]y embracing IP technology and a network of networks concept, public safety agencies will be able to use a set of tools that are not tied to – and dependent on – particular physical networks [T]his architecture ... enables disparate

⁵ Congress committed proceeds of the auction to these initiatives through the DTV and Public Safety Act, Deficit Reduction Act of 2005 at tit. III, with the exception of the implementation provision of the WARN Act, which Congress enacted as part of the Security and Accountability for Every Port Act of 2006, Pub. L. No. 109-347, tit. VI (enacted Oct. 13, 2006).

⁶ Peter Cramton et al, *Improving Public Safety Communications: An Analysis of Alternative Approaches*, at 26 (Feb. 6, 2007); see also Jon M. Peha, *How America’s Fragmented Approach to Public Safety Wastes Money and Spectrum*, at 13-14, 33rd Telecommunications Policy Research Conference (Sept. 2005).

⁷ Cramton, *supra* note 6, at 26.

⁸ *Ninth NPRM* at ¶ 32.

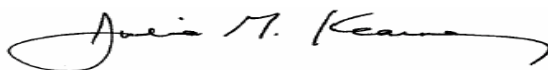
technologies – such as satellites, commercial terrestrial systems, and traditional land mobile radio systems – to work together.”⁹

CEA supports open rather than proprietary system architecture and competition in the public safety communications equipment market. This approach will generate economies of scale, increase efficiency, and further promote interoperability. It will provide manufacturers with the required incentives to bring to market increasingly sophisticated devices for use by the public safety community. As a result, CEA urges the Commission to ensure open network architecture in deploying an IP-based national, interoperable, broadband public safety system.

III. CONCLUSION

For the reasons discussed above, CEA supports a national, interoperable, broadband solution in 12 of the 24 MHz of spectrum currently allocated for public safety use in the 700 MHz band as proposed by the Commission. Further, CEA supports an IP-based national broadband system that relies on open architecture and utilizes commercial technologies and devices.

Respectfully submitted,



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⁹ The Aspen Institute, Communications and Society Program, *Clearing the Air: Convergence and the Safety Enterprise*, at 4-6 (2006) (Weiser, Rapporteur).