

August 18, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
12th St. Lobby, TW-A325  
Washington, DC 20554

**Re: PSWN Program Reply Comments to the Commission's Notice of Inquiry, *In the Matter of Commission Seeks Public Comment on Interference Immunity Performance Specifications for Radio Receivers [and] Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, ET Docket No. 03-65, MM Docket No. 00-39.***

Dear Ms. Dortch:

On behalf of the Public Safety Wireless Network (PSWN) Program and pursuant to Sections 1.51 and 1.430 of the Commission's Rules, 47 C.F.R. §§ 1.51, 1.430 (2002), enclosed herewith for filing are an original and four (4) copies of the PSWN Program's Reply Comments in the above-referenced proceeding.

Kindly date-stamp and return the additional, marked copy of this cover letter and filing to the person delivering it.

Should you require any additional information, please contact the undersigned.

Respectfully submitted,



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Steven Proctor  
Executive Director,  
Utah Communications Agency Network  
Executive Vice-Chair,  
PSWN Executive Committee



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Donald Pfohl  
Communications Manager,  
Oregon State Police  
Member,  
PSWN Executive Committee

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Commission Seeks Public Comment on	)	
Interference Immunity Performance	)	ET Docket No. 03-65
Specifications for Radio Receivers	)	
Review of the Commission's Rules and	)	
Policies Affecting the Conversion to	)	MM Docket No. 00-39
Digital Television	)	

To: The Commission

**PUBLIC SAFETY WIRELESS NETWORK PROGRAM**  
**REPLY COMMENTS**

Filed by: The Public Safety Wireless Network Program

Date: August 18, 2003

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Federal Communications Commission  
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**PUBLIC SAFETY WIRELESS NETWORK PROGRAM**  
**REPLY COMMENTS**

1. The Public Safety Wireless Network (PSWN) Program<sup>1</sup> Executive Committee (EC) respectfully offers the following Reply Comments in response to comments filed in the above referenced proceeding.<sup>2</sup> The PSWN Program recognizes the participation of parties that have submitted comments addressing issues relevant to this docket and welcomes the opportunity to respond in areas of critical interest to public safety. The PSWN Program reiterates the importance of mandating receiver standards to ensure reliability, compatibility, and interoperability of public safety wireless communications.

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<sup>1</sup>The PSWN Program is a federally funded initiative operating on behalf of all local, state, federal, and tribal public safety agencies. The Department of Homeland Security and the Department of Justice are jointly leading the PSWN Program's efforts to plan and foster interoperability among public safety wireless networks. The PSWN Program is a 10-year initiative that is an effort to ensure that no man, woman, or child loses his or her life because public safety officials cannot talk to one another.

<sup>2</sup> Notice of Inquiry, *In the Matter of Interference Immunity Performance Specifications for Radio Receivers [and] Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, ET Docket No. 03-65, MM Docket No. 00-39, FCC 03-54, rel. March 24, 2003 (*NOI*).

## I. BACKGROUND

1. The PSWN Program has actively supported the development of receiver standards to provide additional interference protection for wireless public safety communications.<sup>3</sup> Critical public safety operations require reliable, interference-free communications to protect the lives and property of the Nation's citizens; recent technological developments may improve the interference rejection characteristics of receivers. The PSWN Program is encouraged by the establishment of this docket and has commented on preliminary standards development issues, the selection of appropriate standards, and standards implementation issues.<sup>4</sup> The PSWN Program recognizes the contributions of other parties and welcomes the development of a full record in this matter.

## II. DISCUSSION

2. From emergency operations in the field to daily critical infrastructure assurance and protection, from emergency responders to transportation, health, and other local, state, and federal authorities—wireless communications are a vital part of public safety services and warrant the highest levels of interference protection available. Historically, the Federal Communications Commission's (Commission) transmitter-centric interference regulations have helped define a predictable radio-frequency environment that allows the design of robust,

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<sup>3</sup> See, e.g., Comments of the PSWN Program, NOI, ET Docket No. 03-65; Comments of the PSWN Program, Spectrum Policy Task Force Report, ET Docket No. 02-135, July 8, 2002, at para. 16; Reply Comments of the PSWN Program, Spectrum Policy Task Force Report, ET Docket No. 02-135, July 23, 2002, at para. 13; Comments of the PSWN Program, Spectrum Policy Task Force Report, ET Docket No. 02-135, January 1, 2003, at para. 15; and Reply Comments of the PSWN Program, Spectrum Policy Task Force Report, ET Docket No. 02-135, February 10, 2003, at para. 14. See also Comments of the PSWN Program, In the Matter of Improving Public Safety Communications in the 800 MHz Band, ET Docket No. 02-55, February 25, 2003, at para. 15.

<sup>4</sup> Comments of the PSWN Program, NOI, ET Docket No. 03-65, July 21, 2003.

reliable systems. Especially in recent years, the exponential growth in the use of wireless services has increased the number and severity of incidents of interference to public safety services<sup>5</sup> and across other service categories. For public safety services, interference to mission-critical communications could mean the difference between life and death. Any preventive measures that the Commission could undertake to avoid interruptions in service and deterioration of communication quality should be fully explored.

3. Receiver standards that correspond to the actual receiver environment and to indices, such as the noise floor that impact communications in each band, should be established by the Commission and incorporated into its Rules. Actual user information could also be collected in real time to provide relevant data and ensure the accuracy of power limits to prevent debilitating interference from affecting equipment performance. The PSWN Program agrees with the New York State Office for Technology (NYSOT) that improved radio frequency measurement techniques must be developed to gain a more accurate characterization of the noise floor in particular, and the radio-frequency environment in general.<sup>6</sup>

4. Because even wireless services operating fully within the scope of the Commission's Rules can cause interference to other transmitters,<sup>7</sup> the PSWN Program agrees with NYSOT that the Commission should establish an interference resolution process to quickly and efficiently

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<sup>5</sup> See generally In the Matter of Improving Public Safety Communications in the 800 MHz Band; Consolidating the 900 MHz Industrial/Business Land Transportation and Business Pool Channels, WT Docket No. 02-55.

<sup>6</sup> Comments of NYSOT, NOI, ET Docket No. 03-65, July 21, 2003, at pp. 8, 14.

<sup>7</sup> See generally In the Matter of Improving Public Safety Communications in the 800 MHz Band; Consolidating the 900 MHz Industrial/Business Land Transportation and Business Pool Channels, WT Docket No. 02-55.

mitigate any instances of harmful interference.<sup>8</sup> The PSWN Program notes that the safety-of-life aspects of public safety services should take precedence in any such instance.

5. The PSWN Program has noted its agreement with Commissioner Kathleen Abernathy's view on adopting receiver standards that "[W]here possible, the FCC should afford licensees flexibility in the deployment of technologies."<sup>9</sup> The PSWN Program reiterates its position that receiver standards should be applied to individual radio services. Commercial services often incorporate the latest technological designs in their equipment and may be best served by innovation through competitive pressure and voluntary industry standards. However, public safety services function in a cooperative rather than competitive environment and require reliable, interoperable equipment. The PSWN Program recognizes that public safety equipment manufacturers are under competitive economic pressure but nonetheless, stresses the importance of open, mandatory receiver standards to effectuate the development of robust, reliable, and most importantly, interoperable equipment for public safety services. The Association of Public-Safety Communications Officials—International, Inc. (APCO) agreed with the Commission's contention that public safety services might not be best served by voluntary industry standards.<sup>10</sup> The PSWN Program supports this view and advocates mandatory receiver standards for public safety services.

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<sup>8</sup> Comments of NYSOT, NOI, ET Docket No. 03-65, July 21, 2003, at pp. 6–7.

<sup>9</sup> Comments of the PSWN Program, NOI, ET Docket No. 03-65, July 21, 2003, at p. 4, citing Separate Statement of Commissioner Kathleen Q. Abernathy Re: Interference Immunity Performance Specifications for Radio Receivers (ET Docket No. 03-65); Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (MM Docket No. 00-39), Notice of Inquiry, released March 24, 2003, at p. 1.

<sup>10</sup> Comments of APCO, NOI, ET Docket No. 03-65, July 21, 2003, at p. 1.

6. The Cellular Telecommunications and Internet Association (CTIA) noted that to avoid hampering innovative equipment development with burdensome receiver design mandates, the Commission should consider performance-based standards.<sup>11</sup> Requiring receivers to meet certain functional performance levels would not limit the design flexibility of equipment manufacturers. The PSWN Program supports this view and recommends that the graduated performance levels suggested by NYSOT<sup>12</sup> serve as a model for the Commission's development of service-specific standards. The PSWN Program also concurs with NYSOT's recommendation of periodic review of any established receiver standards.<sup>13</sup>

7. Several commenters noted that the incorporation of receiver standards should not serve as justification for new spectrum-sharing arrangements or underlay rights, especially for unlicensed devices.<sup>14</sup> Although the PSWN Program supports the efforts of the Commission's Spectrum Policy Task Force to examine methods of more efficient spectrum use, the critical safety-of-life implications of public safety services demand protection from even the most remote possibility of interference, including interference from proposed spectrum-sharing or underlay uses.<sup>15</sup>

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<sup>11</sup> Comments of CTIA, NOI, ET Docket No. 03-65, July 21, 2003, at p. 4.

<sup>12</sup> Comments of NYSOT, NOI, ET Docket No. 03-65, July 21, 2003, at p. 5.

<sup>13</sup> *Id.* at p. 6.

<sup>14</sup> *See* Comments of Motorola, NOI, ET Docket No. 03-65, July 21, 2003, at p. 4; Comments of CTIA, NOI, ET Docket No. 03-65, July 21, 2003, at p. 3.

<sup>15</sup> *See, e.g.*, Notice of Proposed Rulemaking (NPRM), In the Matter of Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets, ET Docket No. 00-230, rel. November 27, 2000; NPRM, In the Matter of Revision of Parts 2 and 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band, ET Docket No. 03-122, rel. June 4, 2003.

### III. CONCLUSION

8. The PSWN Program thanks the Commission for this opportunity to contribute to this rulemaking proceeding and acknowledges the valuable contributions of other parties to this record. The PSWN Program commends the Commission for its thoughtful efforts to mitigate interference and improve spectral efficiency. Mandated receiver standards will increase the effectiveness and reliability of public safety communications and aid in the protection of the Nation's citizens. The PSWN Program expects to continue its ongoing discourse with the Commission, as it pursues the development of appropriate standards that will improve the quality and reliability of communications for the public safety community and wireless users nationwide.

Respectfully submitted,



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Steven Proctor  
Executive Director,  
Utah Communications Agency Network  
Executive Vice-Chair,  
PSWN Executive Committee



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Donald Pfohl  
Communications Manager,  
Oregon State Police  
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**CERTIFICATE OF SERVICE**

I, Robert L. Giarrusso, Associate, Booz Allen Hamilton, 8283 Greensboro Drive, McLean, Virginia, 22102-3838, hereby certify that on this date I caused to be served, by first-class mail, postage prepaid (or by hand where noted) copies of the Public Safety Wireless Network Program's Reply Comments to the Commission's Notice of Inquiry, *In the Matter of Commission Seeks Public Comment on Interference Immunity Performance Specifications for Radio Receivers* [and] *In the Matter of Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, ET Docket No. 03-65, MM Docket No. 00-39, the original of which is filed herewith and upon the parties identified on the attached service list.

DATED at Fair Oaks, Virginia this 18th day of August 2003.



\_\_\_\_\_  
Robert L. Giarrusso

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