**BEFORE THE**

**FEDERAL COMMUNICATIONS COMMISSION**

**WASHINGTON, D.C. 20554**

In the Matter of

Procedures for Commission Review of State Opt-Out Requests from the FirstNet Radio Access Network

Implementing Public Safety Broadband Provisions of the Middle Class Tax Relief and Job Creation Act of 2012

Implementing a Nationwide Broadband Interoperable Public Safety Network in the 700 MHz Band

Service Rules for the 698-746, 747-762 and 777-792 MHz Bands

) PS Docket No. 16-269

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) PS Docket No. 12-94

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) PS Docket No. 06-229

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) WT Docket No. 06-150)

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**Comments of the National Regional Planning Council**

The National Regional Planning Council respectfully files these reply comments under Public Safety Docket 16‑269 and in response to Report and Order and Notice of Proposed Rulemaking, Public Notice FCC 16‑117A1 released August 26, 2016, on behalf of 700 MHz Regional Planning Committees. These comments address the concerns of the NRPC regarding the repurposing of 700 MHz narrowband spectrum for public safety broadband use.

**The National Regional Planning Council**

The National Regional planning Council (NRPC) is an advocacy body formed in 2007 that supports public safety communications spectrum management by Regional Planning Committees (RPC) in the 700 MHz and 800 MHz NPSPAC public safety spectrum as required by the Federal Communications Commission. We liaison with FCC certified frequency coordinators, licensees, applicants, vendors, adjacent regions as well as the Commission on a regular basis to ensure our planning responsibilities and the goals of those first responder agencies we serve are met. These Regional Planning Committees are made up of public safety volunteer members that dedicate their time, in addition to the time spent on their regular positions, to coordinate spectrum efficiently and effectively for the purpose of making it available to public safety agency applicants in their region. The work these people do reflects their dedication to public safety communications and to ensuring local public safety agencies and user needs are heard and met within their regions and beyond. As a body that advocates the voice of regional planning committees and one that does not attempt to consolidate and centralize that voice into a single message, we encourage each region planning committee to voice their own opinions and speak to the Commission in filings and comments as best they can with the intimate knowledge they have as to initiatives in place and impacted within their own regions. Subsequently, the NRPC does not in this proceeding speak for each individual regional planning committee but recent national regional planning meetings and discussion has highlighted specifically the need for this issue to be addressed by the Commission. We are hopeful that each regional planning committee will respond in our filing of this petition on their own behalf bringing their own viewpoints into consideration. We encourage each region to do so.

**Discussion**

Recently, some states have issued RFPs to build and maintain the LTE radio access network in their state if they opt‐out of FirstNet. These RFPs reference the 700 MHz narrowband spectrum. The National Regional Planning Council (NRPC) strongly recommends that extreme care and diligence be undertaken before any consideration is made to repurpose public safety 700 MHz narrowband spectrum for broadband use.

The FCC allocated 700 MHz narrowband channels to public safety due to tremendous spectrum congestion in many parts of the country. The original public safety 700 MHz allocation consisted of 24 MHz: 12 MHz for wideband use and 12 MHz for narrowband use. Following enactment of the Middle Class Tax Relief Act of 2012, and band realignment by the FCC, 12 MHz is now licensed to FirstNet for the Nationwide Public Safety Broadband Network, and the remaining 12 MHz is allocated for state and local narrowband use.

The network architecture used to deploy broadband networks is very different than the network architecture used to deploy narrowband networks, leading to significant interference potential between the two uses. Accordingly, there is presently a guard band between the FirstNet and 700 MHz narrowband spectrum, as well as FCC technical rules designed to minimize the potential for interference.

The 700 MHz narrowband spectrum is further divided between state agency use on a geographic basis (State License), and local agency use on a site‐by‐site basis pursuant to RPC plans (General Use). The FCC has also designated certain 700 MHz narrowband channels for nationwide interoperability, deployables, itinerant, and air‐to‐ground uses. Many public safety licensees have either deployed or are in the process of deploying 700 MHz narrowband systems in each of the 55 regions across the country.

Repurposing public safety 700 MHz spectrum for broadband use could lead to serious consequences.

1) Any repurposing of 700 MHz narrowband channels for broadband use would likely create significant interference between new broadband and continued narrowband uses, whether contained within the same RPC region, or between RPC regions.

2) 700 MHz RPCs are charged with spectrum management for site‐based 700 MHz narrowband public safety spectrum. Should repurposing of the band to broadband take place in some areas but remain narrowband in others, it would be nearly impossible to coordinate such operations without leading to significant inefficiencies. The cascading effect of just one region reallocating their spectrum to broadband could prove to be catastrophic to adjacent regions that seek to continue their narrowband operations.

3) Any repurposing of 700 MHz narrowband channels for broadband use would also seriously disrupt or completely defeat the interoperability benefits of existing nationwide interoperability channels, nationwide deployable channels, nationwide itinerant channels, and nationwide air‐to‐ground channels, as well as State License channels, and General Use frequencies subject to regional planning coordination.

4) Further, these channels are distributed throughout the narrowband allocation, making any attempt to consolidate the band to support broadband capabilities at best impractical, if not impossible, without requiring significant regulatory proceedings, high costs, and disruptions to public safety communications networks. There is also no comparable spectrum for 700 MHz narrowband public safety licensees to migrate to.

Respectfully,

William Carter, Chairperson

/s/

National Regional Planning Council

November 1, 2016