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ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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June 30, 2010

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

Dear Chairman Genachowski:

On June 21, 2010, the Subcommittee on Communications, Technology, and the Internet held a hearing on a bipartisan staff discussion draft that would provide funding for constructing and maintaining a nationwide, interoperable public safety broadband network. The discussion draft would require the Federal Communications Commission (FCC) to implement technical requirements to achieve nationwide interoperability as well as auction spectrum for the purpose of raising the billions of dollars necessary to construct and maintain such a network over the next ten years.

The discussion draft relies on many of the recommendations put forth by the FCC in its National Broadband Plan (NBP). For example, the draft contemplates that public safety would operate its broadband network utilizing the same air interface as commercial licensees in the 700 MHz band. In addition to helping ensure interoperability, the NBP suggests that this approach would allow public safety to take advantage of economies of scale associated with a market in which there are a variety of commercial providers purchasing equipment and devices from a range of vendors. Such economies of scale could reduce significantly equipment costs for public safety users.

It is our understanding that this proposal represents a significant change from today's public safety communications equipment market for voice or "narrowband" services. As the NBP states, "[p]ast efforts to create a public safety narrowband interoperable voice network have failed."¹ Public safety has typically had to rely on an exclusive or limited vendor pool for

¹ Federal Communications Commission, *National Broadband Plan* at 315 (2010).

equipment and devices,² and the cost of the equipment is often more expensive than comparable commercial equipment.³ Some have suggested that these factors limit public safety's options and may even undermine attempts to achieve interoperability.⁴

To improve the Committee's understanding of the existing public safety equipment and device market, and to help with its ongoing evaluation of the NBP recommendations, we would appreciate your assistance in obtaining answers to the following questions:

1. Please provide a list of the top four vendors of public safety narrowband equipment and their respective market shares. If the FCC does not track this information independently, please use public references to provide these details.
2. Have proprietary solutions affected interoperability, innovation, cost, or competition in the market for public safety communications equipment?
 - a. How would the greater use of open standards affect these factors?
 - b. What steps should the FCC take, if any, to encourage the use of open standards in public safety communications?
3. Please provide information on whether the public safety interoperable voice network, governed by Project 25, has achieved true interoperability.
 - a. Has interoperability been hindered by a lack of competition in equipment and device availability?

² House Committee on Science and Technology, Testimony of Dereck Orr, Program Manager of Public Safety Communications Systems, National Institute of Standards and Technology, *Interoperability in Public Safety Communications Equipment* at 7 (May 27, 2010) (online at http://democrats.science.house.gov/Media/file/Commdocs/hearings/2010/Tech/27may/Orr_Testimony.pdf); FCC, *Public Safety Groups at Odds Over Control of Nationwide Wireless Network*, The Washington Post, (online at <http://www.washingtonpost.com/wp-dyn/content/article/2010/06/08/AR2010060805253.html>) (June 9, 2010).

³ See The Center for Public Integrity, *Homeland Security's Billion-Dollar Bet on Better Communications: Interoperability Money Aids Motorola and Other Contractors, but Are First Responders Better Off?* (Feb. 16, 2010) (online at http://www.publicintegrity.org/investigations/homeland_security/articles/entry/1925) (“Whereas P25 systems can run into the hundreds of millions, gateways cost much less — nowadays, around \$10,000.”).

⁴ *Id.*

- b. To the extent that interoperability has been hindered, please provide specific examples.
4. Does the current structure of the public safety equipment market hinder efforts to achieve interoperability for a broadband public safety network? If so, please provide a description of possible steps the Commission might take to remedy this situation.
 5. Section 101(b) of the staff discussion draft sets forth criteria for the Commission to consider in establishing rules for interoperability. How should this list be revised to ensure that interoperability is achieved in the broadband network, unlike the "failure" that occurred in the narrowband network? What technical and operational framework might be more appropriate to ensure interoperability on a future nationwide wireless public safety broadband network?
 6. Can interoperability requirements applied to the wireless public safety broadband network be utilized to promote interoperability between the narrowband and broadband networks?

Please provide the requested information by July 15, 2010. If you have any questions about this request, please have a member of your staff contact Roger Sherman on the Committee staff at (202) 225-2927. The Republican staff contact, Neil Fried, may be reached at (202) 225-3641.

Sincerely,



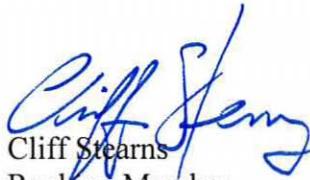
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Subcommittee on Communications,
Technology, and the Internet



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Enclosure