PUBLIC SAFETY
PSWN PROGRAM
WIRELESS NETWORK

Public Safety Wireless Network

Saving Lives and Property Through Improved Interoperability

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie Roman Salas
Secretary
Federal Communications Commission
TW–A325
445 Twelfth Street, SW
Washington, DC 20554

Re: Comments on *Status Report on Licensing and Service Issues and Deployment Strategies for DSRC–Based Intellicent Transportation Services in the 5.850–5.925 GHz Band*; *In the Matter of Service Rules for the 5.850–5.925 GHz Band,* in WT Docket No. 01–90

Dear Ms. Salas:

On behalf of the Public Safety Wireless Network (PSWN) Program and pursuant to Section 1.419 of the Commission's rules, 47 C.F.R. § 1.419 (2000), enclosed herewith for filing are an original and four (4) copies of the PSWN Program's Comments in the above–referenced proceeding.

Kindly date–stamp and return the additional, marked copy of this cover letter and fiilng.

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

Respectfully submitted,

Brigadier General Paul H. Wieck II
Iowa Army National Guard
Chair, PSWN Executive Committee
Spectrum Working Group

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

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Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	
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Service Rules for the 5.850–5.925 GHz	)	
Band, and Revisions to Part 90 of the	)	WT Docket No. 01–90
Commission's Rules	)	
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To: The Commission

COMMENTS ON THE ITS–A STATUS REPORT ON LICENSING AND SERVICE ISSUES AND DEPLOYMENT STRATEGIES FOR DSRC–BASED INTELLIGENT TRANSPORTATION SERVICES IN THE 5.850–5.925 GHz BAND

Filed by: The Public Safety Wireless Network Program

Date: May 16, 2001

Before the
Federal Communications Commission
Washington, DC 20554

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COMMENTS OF THE PUBLIC SAFETY WIRELESS NETWORK (PSWN) PROGRAM ON THE ITS–A STATUS REPORT ON LICENSING AND SERVICE ISSUES AND DEPLOYMENT STRATEGIES FOR DSRC–BASED INTELLIGENT TRANSPORTATION SERVICES IN THE 5.850–5.925 GHz BAND

1. The Public Safety Wireless Network (PSWN) Program[1] Executive Committee (EC) respectfully submits these comments in response to *the Status Report on Licensing and Service Issues and Deployment Strategies for DSRC–Based Intelligent Transportation Services in the 5.850–5.925 GHz Band* (ITS–A Status Report) originally released by the Intelligent Transportation Society of America (ITS–A) in October 2000. The Commission has established a docket, WT–Docket No. 01–90, and solicited comments from interested parties *In the Matter of Service Rules for the 5.850–5.925 GHz Band and Revisions to Part 90 of the Commission's Rules* (Notice).[2]

2. In its Notice, the Commission requests comments on a number of issues, including allocation of spectrum in the 5.850–5.925 gigahertz (GHz) band for public safety usage, and the development of interoperability standards and regulations that are of great interest to the PSWN

[1] The PSWN Program is a federally funded initiative operating on behalf of all local, state, federal, and tribal public safety agencies. The Department of Justice and the Department of the Treasury 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.

[2] Wireless Telecommunications Bureau Seeks Comment Regarding Intelligent Transportation System Applications Using Dedicated Short–Range Communications, *Public Notice,* DA 01–1047 (WTB PSPWD rel. April 24, 2001) (April 24 Public Notice).

Program. The PSWN Program continues to investigate such wireless communications issues with direct impact on public safety agencies. Through these comments, the PSWN Program hopes to bring the benefits of its perceptions to the Commission as it prepares guidelines for the development of policy and procedures to be implemented in licensing and regulating this spectrum.

3. Consistent with its mission, the PSWN Program, building on the findings of the Public Safety Wireless Advisory Committee (PSWAC), is pleased to offer these comments in response to the ITS–A Status Report.

I. BACKGROUND

4. At the outset, the PSWN Program applauds ITS–A for its ongoing efforts to develop recommendations for efficient use of the 5.850–5.925 GHz spectrum and in setting standards for interoperability of equipment and service rules for dedicated short–range communications (DSRC) technology. The PSWN Program further realizes that the public safety community, through its close relationship with the transportation community, has a tremendous stake in the way the spectrum for DSRC is ultimately allocated and managed. However, the PSWN Program feels that it is essential to provide clarification regarding certain areas within the report. Accordingly, the PSWN Program submits these comments to further define the needs of the public safety community and to provide a more precise understanding of the interests of our community.

5. The PSWN Program addresses the following areas in its comments on the ITS–A Status Report: classification of the 5.850–5.925 GHz band as dedicated for public safety purposes; systems interoperability considerations and the development of DSRC technology for coordinated use among and between agencies serving public safety and transportation interests; the need for interagency initiatives to address the concerns and requirements of the Commission and U.S. Department of Transportation (DoT) for the management of traffic; and the sharing of information and resources for the development of a comprehensive regulation policy to provide for the robust application of DSRC technology.

II. THE SPECTRUM UNDER CONSIDERATION FOR DSRC COMMUNICATIONS SHOULD NOT BE DESIGNATED FOR PUBLIC SAFETY SERVICES

6. The ITS–A Status Report, citing unanimity among public and private sector intelligent transportation system stakeholders states, "that the DSRC–based ITS services that provide safety–related information (*e.g.*, in–vehicle warnings) should be regarded as public safety services by the FCC and licensed as such."[3] Although the PSWN Program supports the proposed services, we are concerned with the characterization of such services as "public safety." The existing DSRC applications cited by ITS–A in this report (e.g., electronic toll collection, electronic parking payment) are clearly not within the scope of "public safety" entities as described in the Balanced Budget Act of 1997 (BBA 97), as endorsed by the Association of Public–Safety Communications Officials–International, Inc. (APCO),[10] or within the customary definition of public safety services historically advanced before the Commission. The PSWN Program once again advocates this position, which we have offered in previous comments addressing the issues now being considered on this docket.[11] Furthermore, even the emerging applications and future DSRC–based services discussed in the report, although incorporating a public safety component in some instances (i.e., driver advisories, intersection collision warning systems, emergency vehicle signal priority, and other functions), nevertheless are geared toward the development of technology for traffic management issues.[12] Many comments made in the report by ITS–A are, in fact, recommendations addressed to the DoT.

7. The PSWN Program acknowledges the direct benefits that public safety would achieve in protecting life and property by having a direct link between in–vehicle or highway infrastructures

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[3] *ITS–A Status Report*, at iii.

[10] See PSWN Program *Reply Comments in Response to Comments Filed by Other Parties in Response to, In the matter of, Reorganization and Revision of parts 1, 2, 21 and 94 of the Rules to Establish a New Part 101 Governing Terrestrial Microwave Fixed Radio Services; Amendment to Part 21 of the Commission's Rules for the Domestic Public Fixed Radio Services; McCaw Cellular Communications, Inc. Petition for Rule Making; Amendment of Part 101 of the Commission's Rules to Streamline Processing of Microwave Applications in the Wireless Telecommunications Services; Telecommunications Industry Association Petition for Rulemaking, Memorandum Opinion and Order and Notice of Proposed Rule Making, in WT Docket No. 00–19*, August 4, 2000, pp. 3–4.

[11] *Id.*

[12] *ITS–A Status Report*, pp. 6–8.

and emergency services personnel. However, accomplishment of these worthy goals is not yet within reach. Such benefits will only be realized after the promulgation of rules, setting of standards for manufacture of DSRC equipment, and thorough planning by the Commission and other interested parties. As the ITS–A Status Report states, "DSRC service rules must promote system expansion and spectrum efficiency...[U]sers of the spectrum will need an implementation flexibility to respond to public and market demands. This flexibility also includes the freedom to determine how they will use the spectrum and the geographic area in which they will provide service, as well as the technical flexibility in order to respond to changes in technologies and equipment."[13]

III. THE 5.9 GHz SPECTRUM CAN BENEFIT ONLY LIMITED OPERATIONS OF PUBLIC SAFETY AGENCIES, AND MORE USEFUL SPECTRUM IS REQUIRED WITH GREATER UTILITY FOR THESE PURPOSES

8. Although the PSWN Program reiterates the urgent need for allocation of additional spectrum to meet current and future public safety wireless needs, DSRC spectrum is not capable of supporting voice and video communications, which will continue to be used extensively for public safety services. Nor will the technology be available to fully leverage the potential of DSRC for several years. These conclusions are clear from the ITS–A Report, which characterizes this technology as appropriate for data exchange, with "multimedia applications...and Internet connection" only potentially being realized "by an enhanced version of DSRC."[14] ITS–A does not claim that DSRC can provide voice communication capabilities in any case.[15]

9. The PSWN Program also must emphasize that this is innovative technology, which needs additional time, planning, and research to become a useful and practical tool. Standards for service, uniformity in the design of systems, and development of an infrastructure to operate DSRC, as well as standards for interoperability of equipment by different vendors, must be

[13] *Id.*, p. 23.
[14] *ITS–A Status Report*, p. 9.
[15] *Id.*, p. 34.

settled before this technology can be embraced. It is our position that DSRC applications currently under development may be adapted for the public safety community to suit unique needs after these issues have been resolved and the uses for DSRC technology have been more thoroughly explored and modified to reduce error and enhance reliability.

IV. DEVELOPMENT OF STANDARDS FOR EQUIPMENT AND LICENSING PROCEDURES WILL REQUIRE COOPERATION BETWEEN THE COMMISSION AND OTHER FEDERAL AGENCIES TO EFFICIENTLY INTEGRATE DSRC SYSTEMS

10. The Commission has the responsibility to determine the rules, practices, and procedures that will most efficiently utilize spectrum allocated for non–federal users. Because federal entities will also be impacted by the decisions made regarding the use of intelligent transportation systems, the PSWN Program recommends that the Commission consult with the National Telecommunications and Information Administration on standards for proposed deployment of DSRC technology. It is very important to all users of this spectrum that equipment operates reliably and with a minimum of user interaction. It is also critical that in providing for potential uses and emerging applications, the Commission enables growth and flexibility that will take the fullest advantage of any opportunities offered by DSRC technology in the future.

11. The Commission should encourage further input and testing, and take into account the needs and purposes of the DoT for the foreseeable applications for DSRC in proceeding to any proposed rulemaking. Because this spectrum would be shared by various users, it is also critical that operations not impair use of current systems. Key decisions still must be made regarding whether this spectrum will be licensed or will allow for some unlicensed uses; whether a broadband, narrowband, or hybrid channelization plan would be best to achieve the goal of national interoperability; and what standards should be set to resolve interference issues.

12. For these reasons, the PSWN Program calls upon members of the public safety and the transportation communities to continue to exchange information and cooperate in a joint effort to assure the best use of this spectrum. In addition, voluntary collaboration by the manufacturers

and vendors of DSRC equipment to achieve interoperability and standardize design, capabilities, and operation of DSRC equipment and infrastructure will promote widespread adoption and more rapid deployment of this emerging technology. The PSWN Program concurs with ITS–A's recommendation that "DSRC technology vendors...form a consortium to work toward rapid development and delivery of a standard DSRC specification...which encourages an open development environment that will help to enable...the broadest possible set of applications."[16]

V. CONCLUSION

13. The PSWN Program commends the efforts of all commenters participating in the rulemaking process. Because of the complexity of the numerous issues and competing considerations that must be evaluated to prepare a comprehensive plan, the PSWN Program respectfully requests the Commission to carefully consider the views submitted on these issues concerning spectrum policy for this docket. We further encourage the Commission to include other agencies at all levels of government, as well as members of the public safety community, the transportation community, and the prospective vendors and end users who will be affected by its decisions, in developing rules and procedures that will be beneficial to all.

Respectfully submitted,

Brigadier General Paul H. Wieck II
Iowa Army National Guard
Chair, PSWN Executive Committee
Spectrum Working Group

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Utah Communications Agency Network
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[16] *ITS–A Status Report*, p. 10.

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Certificate of Service

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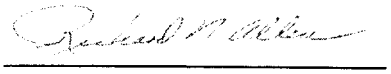
Commission's Rules	)	

I, Richard N. Allen, Senior Associate, Booz·Allen & Hamilton Inc., 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 Comments on *Status Report on Licensing and Service Issues and Deployment Strategies for DSRC–Based Intelligent Transportation Services in the 5.850–5.925 GHz Band*; *In the Matter of Service Rules for the 5.850–5.925 GHz Band*, the original of which is filed herewith and upon the parties identified on the attached service list.

DATED at Fair Oaks, Virginia this 16th day of May 2001.



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