

INDUSTRY CANADA
SPECTRUM ENGINEERING BRANCH
1943B, 300 SLATER STREET
OTTAWA, ONTARIO K1A 0C8

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Proposed Revisions to the Frequency Band) Notice No. SMSE-004-08
Plan for Public Safety in the Band 700 MHz) (*Canada Gazette*, Part I, January 19, 2008)
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To: Director General, Spectrum Engineering Branch, Industry Canada

COMMENTS OF THE TELECOMMUNICATIONS INDUSTRY ASSOCIATION

The Telecommunications Industry Association (“TIA”) hereby submits comments in response to Industry Canada’s Notice No. SMSE-004-08 – Proposed Revisions to the Frequency Plan for Public Safety in the Band 700 MHz. TIA supports the Industry Canada (“Department”) proposal to harmonize the 700 MHz band plan to align with the current United States band plan, which was recently revised by the Federal Communications Commission (“FCC”).

TIA is the leading trade association for the information and communications technology industry, with 600 member companies that manufacture or supply the products and services used in global communications across all technology platforms. TIA represents its members on the full range of public policy issues affecting the information and communications technology industry, and is accredited by the American National Standards Institute to produce industry consensus standards. Among their numerous lines of business, TIA member companies design, produce, deploy, and

integrate public safety communications systems used by first-responders, including systems that use the bands that are subject to the Department's Notice.

I. THE CANADIAN 700 MHZ BAND PLAN SHOULD BE HARMONIZED WITH THE UNITED STATES 700 MHZ BAND PLAN

TIA supports the Department's proposal to harmonize the Canadian 700 MHz band plan with the United States band plan in order to promote interoperability and to allow for efficiencies in economies of scale. In August 2007, the FCC revised the 700 MHz band plan for the United States to allow for the use of a nationwide, interoperable broadband communications network for the benefit of public safety.¹ The FCC's revisions had the unfortunate consequence of misaligning the United States' 700 MHz band plan vis à vis the Canadian 700 MHz band plan. In turn, the Department has correctly instituted this proceeding and recognized that "[h]armonization of the 700 MHz band with the United States is critical for radio equipment economies of scale and interoperability."²

Uniform spectrum allocations are necessary to promote interoperability in communications equipment. The Department has acknowledged that "[r]adio interoperability is... an essential feature for public safety applications."³ In its 2006 Policy Statement, the Department concluded that "harmonization with the U.S. band plan

¹ See *Service Rules for the 698-746, 747-762, and 777-792 MHz Bands*, Second Report and Order, 22 FCC Rcd 15289, 15407 ¶ 324 (2007) ("FCC Second Report"). TIA was an active participant in the FCC proceeding.

² See Proposed Revisions to the Frequency Plan for Public Safety in the 700 MHz Band, 1 (Jan. 19, 2008). ("*Proposed 700 MHz Revisions*").

³ *Policy for the Use of 700 MHz Systems for Public Safety Applications and Other Limited Use of Broadcasting Spectrum (RP-06)*, Notice No. DGTP-001-06 at 7 (June 2006) ("2006 Policy Statement").

is appropriate from both the domestic and international radio interoperability perspectives.”⁴ Today, the same conclusion holds true.

Harmonization with the U.S. band plan will enable public safety stakeholders to communicate across jurisdictions. Canadian and American leaders have recognized that man-made or natural disasters can have cross-border consequences that demand coordination and mutual assistance.⁵ Thus, a common approach to critical infrastructure, including telecommunications, is preferred.⁶ A common band plan will afford public safety agencies the possibility to communicate in the course of both routine affairs and times of emergency. The many Canadians living near the United States border would benefit from cross-border coordination made possible by interoperable emergency communications equipment.

In addition, spectral efficiency gains may be derived from harmonization. As the Department has previously noted, “complete harmonization with the U.S. band plan and its associated narrowband criteria would enable domestic maximization of the spectrum use along the border and to enable Canada/U.S. interoperability regardless of whether the radio systems are full power, low power or wide area in nature.”⁷

⁴ *Id.* at 4.

⁵ See Office of the Prime Minister, *The Security and Prosperity Partnership of North America: Next Steps* (Mar. 31, 2006), <http://pm.gc.ca/eng/media.asp?id=1084>. (“Security and Prosperity Partnership”); See also Interview by Marie-Josée Kravis, with Stephen Harper, Prime Minister, (Sept. 25, 2007), http://www.cfr.org/publication/14315/conversation_with_stephen_harper_rush_transcript_federal_news_service.html (discussing shared Canadian-U.S. responsibilities toward the North American continent and coordination with U.S. agencies).

⁶ See Security and Prosperity Partnership, *supra*.

⁷ See 2006 Policy Statement at 4; See also Royal Canadian Mounted Police, Comments, Notice No. DGTP-002-04 at 5 (Jan. 14, 2005) (“Royal Mounted Police Comments”) (“The harmonization with the U.S. band is fully supported as it will have many

The harmonization of the Canadian and United States band plans will also facilitate economies of scale in equipment manufacture, benefiting the public safety community, equipment providers, and ultimately, the Canadian public.⁸ Economies of scale will serve the public interest by providing the public safety community with equipment through superior speed-to-market and lower cost. Through harmonization, Canadian public safety agencies will be able to aggregate their demand and purchasing power with U.S. agencies for the acquisition of radio technology. In fact, the Royal Canadian Mounted Police, Peel Regional Police, and National Public Safety Telecommunications Counsel have all recognized the advantages that harmonization can yield in terms of economy of scale.⁹ Accordingly, the Commission should again affirm that harmonization is appropriate due to the “radio equipment cost benefits that accrues from a common radio equipment manufacturing market.”¹⁰

Harmonization would also be consistent with the cooperative relationship between Canada and the United States on spectrum matters. In 2005, Canada and the United States reached an agreement covering use of the 700 MHz bands near the border to facilitate the deployment of public safety systems.¹¹ More recently, cross-border negotiations have been ongoing to ensure interference-free public safety operations in the

advantages to the Canadian Public Safety. A critical element of the Canada/United States is to provide cross-border interoperability.”).

⁸ See *Proposed 700 MHz Revisions* at 2.

⁹ See Royal Mounted Police Comments at 8; Peel Regional Police, Comments, Notice No. DGTP-002-04 at 3 (Jan. 12, 2005); National Public Safety Telecommunications Council, Comments, Notice No. DGTP-002-04 at 3 (Jan. 14, 2005).

¹⁰ 2006 Policy Statement at 4.

¹¹ See FCC News Release, “Canada and U.S. Reach Agreement that will Facilitate Deployment of Public Safety Services Near the U.S.-Canada Border in the 764-776 MHz and 794-806 MHz Frequency Bands,” (June 20, 2005).

700 MHz band.¹² Thus, harmonization of the Canadian and United States band plans would serve to effectuate the shared goals of facilitating cross-border cooperation and enabling interoperable public safety communications.

II. ADDITIONAL SPECTRUM IS NECESSARY FOR PUBLIC SAFETY BROADBAND

The Department has opted to take a two-step approach to public safety operations in the 700 MHz band. First, an analysis of whether the band should be re-harmonized with the U.S. band plan and whether narrowband and wideband operations should continue to be permitted,¹³ and second, an evaluation of public safety broadband requirements.¹⁴ Although the public safety broadband analysis was deferred to a future proceeding, it is important to note that five megahertz is the basic building block for broadband deployment. The current 700 MHz public safety band plan in Canada allocates 6 MHz for narrowband operations, but leaves only 4 MHz — the A Block — available for potential broadband operations. The Department should thus move quickly to identify and add an additional 1 MHz to the proposed A Block allocation. Such an approach would be consistent with the United States band plan which features 5 MHz spectrum blocks for public safety broadband at 763-768 and 793-798 MHz.¹⁵

¹² See FCC International Bureau, 2007 Annual Report at 7 (Jan. 17, 2008).

¹³ *Id.* at 1-4.

¹⁴ *Id.* at 4.

¹⁵ See FCC Second Report 22 FCC Rcd at 15295 Figure 2.

CONCLUSION

For the reasons set forth above, the Department should (1) harmonize the Canadian and U.S. 700 MHz Band plans and (2) add at least 1 MHz to the proposed A Block.

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: _____

Danielle Coffey

Vice President, Governmental Affairs

Patrick Donovan

Director, Government Affairs

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

10 G Street, N.E.

Washington, D.C. 20002

Suite 550

U.S.A.

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