26 November 2012

by Email

Ms. Chantal Davis
Manager
Mobile Services
Engineering, Planning and Standards Branch
Industry Canada
300 Slater St.
Ottawa, ON K1A 0C8
E-mail: Spectrum.Engineering@ic.gc.ca

Dear Mr. Hill:

Subject: Canada Gazette, Part I 25 August 2012, Vol. 146, No. 34 - Notice No. SMSE-007-12 – Consultation on a Policy, Technical and Licensing Framework for Use of the Public Safety Broadband Spectrum in the Bands 758-763 MHz and 788-793 MHz (D Block) and 763-768 MHz and 793-798 MHz (PSBB Block) - Reply Comments of MTS Allstream

MTS Inc. and Allstream Inc. (collectively, MTS Allstream) welcome the opportunity to submit the following reply comments on Canada Gazette, Part I 25 August 2012, Vol. 147, No. 34 - Consultation on a Policy, Technical and Licensing Framework for Use of the Public Safety Broadband Spectrum in the Bands 758-763 MHz and 788-793 MHz (D Block) and 763-768 MHz and 793-798 MHz (PSBB Block) - Notice No. SMSE-007-12.

Yours truly,

[Signature]

for Teresa Griffin-Muir

c.c.: Justin To, 613-688-4507
Consultation on a Policy, Technical and Licensing Framework for Use of the Public Safety Broadband Spectrum in the Bands 758-763 MHz and 788-793 MHz (D Block) and 763-768 MHz and 793-798 MHz (PSBB Block)

Reply Comments of MTSallstream

26 November 2012
1. Pursuant to Gazette Notice SMSE-007-12 published and Gazetted on 25 August 2012, MTS Inc. and Allstream Inc. (collectively, MTS Allstream) are pleased to provide these reply comments in response to Industry Canada’s Consultation on a Policy, Technical and Licensing Framework for Use of the Public Safety Broadband Spectrum in the Bands 758-763 MHz and 788-793 MHz (D Block) and 763-768 MHz and 793-798 MHz (PSBB Block), Canada Gazette, Part I 25 August 2012, Vol. 147, No. 34, Notice No. SMSE-007-12.

2. Participation in the consultation was broad and included incumbent and new entrant wireless carriers, equipment manufacturers, and federal, provincial and regional public safety organizations. With the exception of Public Mobile Inc. there was clear support for designating the Upper 700 MHz D Block primarily for public safety purposes. While Public Mobile Inc. proposed the spectrum be allocated for commercial uses all other stakeholders supported the designation of the spectrum for public safety purposes in order to harmonize with the US and ensure Canadian public safety entities have access to sufficient spectrum to build a public safety broadband network.

3. MTS Allstream concurs with the broad consensus to allocate the spectrum to public safety purposes and believes that designating the Upper 700 D Block for commercial use with priority access for public safety users, as proposed by Public Mobile Inc., is infeasible. The US has already attempted to build this model without success, there is no evidence to suggest it is possible in Canada. Furthermore, given the US decision to designate the spectrum for public safety, there will be no device ecosystem and little technology development for commercial uses using the spectrum in question. For these reasons MTS Allstream does not agree with Public Mobile’s proposal to designate the Upper 700 D Block for commercial uses.

4. If the spectrum is allocated to public safety uses, the comments submitted make clear that stakeholders, including MTS Allstream, believe that the scope of users permitted access should be sufficiently broad to ensure the financial viability of the public safety broadband network. Most participants, including the equipment manufacturers, the Canadian Advanced Technology Alliance (CATA), Public Safety Canada, the RCMP and the provincial public safety entities of Quebec, British Columbia and Ontario, all support broad
day-to-day use by Category 1, 2 and 3 users. Many of the network providers including Bell Canada, MTS Allstream, Quebecor, the municipalities, and the Government of Nova Scotia advocated more restricted access to Category 3 users depending on the circumstances.

5. MTS Allstream’s position is unchanged. The scope of users permitted access should be sufficiently broad to ensure the financial viability of the public safety broadband network while ensuring that the goal of priority access to Category 1 public safety users is maintained. The decision on the range of permitted users should be made by the regional public safety network entity (PSNE) and Industry Canada should not be overly prescriptive and mandate certain users. PSNEs should have the ability to manage the spectrum to ensure maximum benefit while maintaining the primary objective of the spectrum.

6. Regarding commercial uses, the majority of the stakeholders including all of the municipalities, MTS Allstream, Bell Canada, the RCMP, Quebecor, MobilExchange, the Canadian Interoperability Technology Interest Group (CITIG), and the governments of Nova Scotia, Quebec and Ontario oppose any commercial uses of unused spectrum. The equipment manufacturers, many PSNEs, CATA, new wireless entrants, Public Safety Canada, and the government of British Columbia and the Yukon support some form of commercial uses for unused spectrum.

7. MTS Allstream maintains that commercial uses should not be permitted at this time. Allowing or delegating the ability for PSNEs to introduce commercial uses on unused capacity could compromise the primary purpose of the spectrum. Even using Long-Term Evolution (LTE) protocols to prioritize public safety users, public safety uses could not be guaranteed in times of peak traffic.

8. Lastly, stakeholders, with the exception of Public Mobile Inc., were unanimous in supporting direct assignment of the spectrum rather than an auction. While some advocated assignment of spectrum to a single national organization (RCMP, the equipment manufacturers and Bell Canada), most (including MTS Allstream, the municipalities, the provincial governments, Imperial Oil, MobilExchange, Public Safety Canada, and SaskTel) propose that spectrum either be allocated to a national body that re-allocated spectrum to
9. MTS Allstream submits that licenses should be allocated to provincial/territorial PSNEs as Canada’s national public safety entities are largely federations of provincial and regional entities and many public safety issues are provincially managed. It is the provincial/territorial/regional entities that will be undertaking the day-to-day operations of the public safety broadband network and thus they should be assigned the spectrum to manage according to their regional constraints. To ensure interoperability, a national body like the Canadian Interoperability Technology Interest Group (CITIG) should be appointed to ensure coordination across regions.

***END OF DOCUMENT***