November 26, 2012

Ms. Chantal Davis
Manager
Mobile Systems
Industry Canada
300 Slater Street
Ottawa, Ontario K1A 0C8

Subject: Canada Gazette Part 1 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), Published on August 24, 2012

Dear Ms. Davis,

Motorola Solutions Canada Inc. (Motorola, MSCI) commends Industry Canada (the Department) for further examining the preliminary technical and licensing issues for public safety broadband spectrum in the 700 MHz band within the Department’s Consultation, including the proposed designation of the 758-763 MHz and 788-793 MHz (D Block) to public safety. Motorola respectfully hereby submits these Reply Comments in response to the Comments filed to this Consultation by the deadline of October 24, 2012.

Motorola notes that, with few exceptions, the positions taken by the Commenters emphasize the importance of harmonizing the band plan and technical rules with those of the Federal Communications Commission (FCC) in the U.S., to better enable interoperability at the Canada/U.S. border and increase equipment economies of scale. Most essential to such broadband spectrum harmonization is the designation of the D Block to public safety by Industry Canada. Of the 29 Comments filed (in the English language), all of the public safety and government entities, utility/critical infrastructure entities, industry, large commercial carriers, and most other commercial carriers (with the exception of Public Mobile, and the qualified allocation position of British Columbia Broadband Association and Mobilexchange Services) urged the Department to designate this critical
block to public safety. The Canadian Advanced Technology Alliance (CATA) reported that of the 265 survey responders representing a cross section of the above, 89% agree with such reallocation.1 Many of the commenters provided detailed arguments for why public safety must have the full 20 MHz allocated for the 700 MHz Public Safety Broadband Network (PSBN), many emphasizing that the U.S. Congress and the FCC recognized these same arguments and came to the same conclusion. This critical D Block allocation is concisely summarized in the cover letter by the Chiefs of the Ontario Tri-Services Organizations, stating “The use of broadband technology is crucial to the future of public safety in Canada. Allocating 20 MHz of broadband spectrum directly to public safety is the only way to ensure robust, modern, reliable public safety interoperable networks. 2

As highlighted in our Comments, Motorola urges the Department to recognize the need for and benefit of allowing Category 2 and Category 3 users, including utilities and other critical infrastructure industries, access to the PSBN for day-to-day operations, not only in emergencies, provided that local public safety command can manage specific priority assignments on a real time basis for all users on the PSBN.3 We are pleased that of the public safety, government, utility and industry commenters expressing their position on this question, most supported a similar view. In the coordinated national response filed by Public Safety Canada on behalf of the public safety leadership, they emphasized that accommodating the broadest possible user base is a key way the public safety community will be able to afford a roll-out, especially in rural areas. A key reason for allowing day-to-day operations is that interoperability during an emergency between all three categories of users is not just about having access to the same spectrum, but ensuring that everyone knows how to use it on a day-to-day basis. Having the spectrum available to all three categories, and on a priority basis, in their daily business will increase the likelihood that they will be equipped, trained and more effective when called upon during emergencies and major events.4

Regardless of the Categories of users allowed on the PSBN by the Department, Motorola re-emphasizes that public safety officials must have the ability to prioritize broadband communications

1 National Survey Results filed with Comments to Canada Gazette Notice No. SMSE-007-12 by the Canadian Advanced Technology Alliance, page 2.
2 Cover letter by Chiefs of Tri-Services (Ontario Association of Chiefs of Police, Ontario Association of Fire Chiefs and Ontario Association of Paramedic Chiefs) in Response to Gazette Notice No. SMSE-007-12.
3 MSCI comments to Gazette Notice No. SMSE-007-12, pages 3 and 9-12.
4 Joint Response by Federal, Provincial, Territorial Authorities, Federation of Canadian Municipalities and the Tri-Services Chiefs Associations on behalf of the First Responder and Emergency Management Communities, in comments to Gazette Notice No. SMSE-007-12, page 4
among multiple agencies and levels of response, whether at the incident scene or at a central command location, to manage specific user priority assignments on a real time basis. This prioritization must have the flexibility to allow priority changes to keep pace with incident changes or as additional incidents develop. ⁵ There was universal support of this prioritization requirement by the public safety and governments commenters, and most of the other commenters, answering Consultation question B-10 addressing this issue. Public Safety Canada reiterated that in allowing Category 2 and Category 3 users PSBN access for day-to-day operations, prioritization for public safety is essential, and that IC rules and regulations must allow the dynamic prioritization of broadband service to the user(s) most requiring it at any given time. ⁶ Motorola notes that the Priority and Quality of Service (QoS) Task Group within the Broadband Working Group (BBWG) of the National Public Safety Telecommunications Council (NPSTC) recently researched, defined and published public safety’s specific prioritization and QoS requirements for the PSBN based on what Long Term Evolution (LTE) technology can offer. This report is available at [http://www.npstc.org/download.jsp?tableId=37&column=217&id=2304&file=PriorityAndQoSDefinition_v1_0_clean.pdf](http://www.npstc.org/download.jsp?tableId=37&column=217&id=2304&file=PriorityAndQoSDefinition_v1_0_clean.pdf). The Radio Advisory Board of Canada (RABC) noted that incident commanders must have the capability to manage specific user prioritization to properly arbitrate and assert control over multi-discipline public safety personnel, as well as Category 2 and Category 3 entities if allowed access to the network. ⁷ Over 90% of all respondents to the CATA survey agreed that an acceptable 700 MHz broadband service for public safety requires priority of access for public safety. ⁸ Motorola reiterates the view expressed in our Comments that while we believe the question of commercial (consumer) use should be addressed by the public safety entities, we recommend that such commercial use should not be allowed on the PSBN. This is mainly because consumers expect a commercial level of service that competes with that of a commercial provider on a carrier network, and they are not likely to accept networks that place their access to the network at the bottom levels of priority. We emphasized that history shows that during large-scale events, both public safety and consumer traffic are at their peak. ⁹ The CATA survey results align with this view. CATA reported

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⁵ MSCI comments to Gazette Notice No. SMSE-007-12, page 15
⁶ Joint Response by Federal, Provincial, Territorial Authorities, Federation of Canadian Municipalities and the Tri-Services Chiefs Associations on behalf of the First Responder and Emergency Management Communities, in comments to Gazette Notice No. SMSE-007-12, pages 4 and 5.
⁷ Radio Advisory Board of Canada comments to Gazette Notice No. SMSE-007-12, pages 3 and 4
⁸ National Survey Results filed with Comments to Canada Gazette Notice No. SMSE-007-12 by the Canadian Advanced Technology Alliance, page 17
⁹ MSCI comments to Gazette Notice No. SMSE-007-12, page 13
that “commercial use by the ‘general public’ were not welcome by any of the respondent groups”, and the highest level of opposition came from Category 1 respondents (police, fire and EMS) in which almost 90% disagreed that commercial services on the PSBN should include the general public.10

CONCLUSION

Motorola commends Industry Canada for further examining the preliminary technical and licensing issues for 700 MHz public safety broadband spectrum. We have long advocated the importance of harmonizing the 700 MHz public safety broadband band plan and technical rules with those of the FCC. Motorola urges Industry Canada to act in concert with the U.S. decision and in response to the almost universal support expressed by those who filed Comments to this Consultation to designate the D Block to public safety. We further request the Department to expeditiously act in support of the large majority of public safety and government commenters that urge the Department to allow Category 2 and Category 3 users to access the PSBN on a day-to-day basis, allow local public safety command to manage specific priority assignments on a real time basis for all users on the PSBN, and exclude commercial (consumer) use on the PSBN.

Respectfully Submitted,

George Krausz
President and Country Manager
Motorola Solutions Canada Inc.

10 National Survey Results filed with Comments to Canada Gazette Notice No. SMSE-007-12 by the Canadian Advanced Technology Alliance, page 10.