SaskTel Reply Comments:

Gazette Notice 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)

November 26, 2012
EXECUTIVE SUMMARY

1. The following represent Saskatchewan Telecommunications’ (SaskTel's) Reply Comments in response to 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)*.

2. SaskTel has reviewed Comments from a wide variety of parties posted on the consultation website by Industry Canada (“the Department”). None of these submissions have resulted in changes to SaskTel’s initial position.

3. That position remains:
   - The spectrum licenses in question should be assigned to Provincial, Territorial, or Regional licensees for the purposes of building a Public Safety Broadband (PSBB) network.
   - The licences in question should contain high-level principles under which the spectrum can be used. Further technical details of how the PSBB network(s) must meet these principles should be administered by the license holders.
   - The high level principles defined in the Conditions of License should include:
     - The primary purpose of the PSBB spectrum must be to provide uses related to the safety of the public.
     - Commercial use should be allowed, at the discretion of the license holder, but should always be secondary to Public Safety purposes and should only be provided by the license holder on a wholesale basis.
     - When allowing commercial use, there must be a methodology of ensuring that PSBB use is given primacy.
     - Any PSBB networks developed using this spectrum must be capable of interoperability both between Provinces and agencies and with the United States.

4. SaskTel submits that, after defining these principles, the Department should not try to micro-manage the development and should allow flexibility for the various regions to adapt to both the technological environments they face at the time they develop their own networks and the unique needs of their own regional users.
5. SaskTel notes that the situation in Canada, while containing similarities to the United States, is not identical. Most specifically, the Canadian government is not proposing to allocate $7 Billion to the development of a national PSBB system. Given this reality, and the historical precedent of the manner in which public safety narrowband voice networks have developed, SaskTel believes it likely that any Canadian PSBB networks will be developed on varying timelines in different Provinces and regions. Therefore even specifications which seem uncontroversial at present, such as the requirement that any PSBB developments make use of LTE, could become problematic as technology advances and networks move to LTE Advanced and beyond.

6. In the remainder of this document, SaskTel provides further response to some of the individual questions posed by the Department. The section numbering of the remainder of this document corresponds to the numbering of the consultation paper released by the Department. Failure to address any particular issue or item, or the Comments made by any other party, should not be construed as agreement with those Comments where such agreement is not in the interests of SaskTel.
SASKTEL RESPONSE TO THE CONSULTATION

4. Designation of Use for the D Block

A-1 Comments are being sought on Industry Canada’s proposal to designate the D block (758-763 MHz and 788-793 MHz) for public safety broadband use.

A-2 Comments are being sought on Industry Canada’s assumptions concerning the commercial equipment availability for the D block (i.e. that consumer devices will not be readily available).

A-3 As stated above, responses to the 700 MHz consultation indicated that there was no support for the option of designating spectrum for commercial use with obligations to serve public safety. Does this view still apply for the D block?

Provide supporting rationale for responses to the above questions.

7. SaskTel supports the Department’s proposal to designate the D block for public safety broadband (PSBB) use.

8. SaskTel notes that our Comments, with regard to the availability of commercial equipment for the D block, were made on our interpretation of the question as referring to commercial devices made available to general consumers. SaskTel does not believe that D block compatible consumer devices aimed at the mass market user will be readily available in the near future. SaskTel offers no opinion with regard to the availability of devices for the public safety community.

6. Commercial Use of Spectrum in the 700 MHz Band Designated for Public Safety

B-4 Should Industry Canada permit any commercial use of unused capacity in the 700 MHz spectrum designated for public safety broadband?

If so:

B-5 Whose needs must be met before 700 MHz spectrum designated for public safety broadband can be used for commercial services?

B-6 Should commercial services, i.e. services with purposes other than protection of life and property, be restricted to users that fall under the public safety categories described in Section 5?

B-7 Should the licensee or licensees be permitted to provide commercial services directly to the public?
B-8 Should the licensee or licensees be permitted to wholesale unused capacity to a commercial operator?

B-9 Should there be other limits to any commercial use (e.g. should such use be limited to particular amounts of time and throughput, or to specific geographic areas)?

Provide supporting rationale for responses to the above questions.

9. The Conditions of License should not preclude secondary commercial use of PSBB spectrum should the license holder determine that such use does not interfere with the principles under which the license is granted. The needs of public safety users, as determined by the license holder, should always take precedence.

10. The licensee should not provide commercial services directly to the public, but should be permitted to wholesale unused capacity.

7. Priority Access and Pre-emption

If Industry Canada decides to allow some commercial use in the 700 MHz spectrum designated for public safety broadband use, then:

B-10 Which mechanism or mechanisms (e.g. priority access, pre-emption, or others), if any, would have to be in place to ensure that the public safety community’s communications requirements are met?

B-11 Should Industry Canada mandate such a mechanism or mechanisms?

Provide supporting rationale for responses to the above questions.

11. All options should be left open at this time, subject to the overriding principle that there must be a means of ensuring that PSBB users take precedence. Industry and public safety user-led solutions to control priority access are far more appropriate than government mandated solutions. The issues surrounding interoperability and priority access, including technical, governance, and other non-technical issues, are quite complex and unique in each jurisdiction. SaskTel believes that public safety interoperability groups and public safety licence holders are in the best position to develop and implement mechanisms to control network access.

8. Radio Interoperability

B-12 Which technical measure or measures, if any, should Industry Canada consider mandating to address radio interoperability requirements?
B-13 Should Industry Canada mandate a specific technology? If so, under which standard or standards?

Provide supporting rationale for responses to the above questions.

12. Interoperability – between agencies, provinces, and with the US - should be a guiding principle. However the Department should not dictate detailed specifications. The public safety community in Canada and the agencies responsible for building the PSBB network are best positioned to establish any necessary standards required to ensure inter-operability. No intervention by Industry Canada is required.

10. Eligibility

C-4 Based on the proposal in Section 9.3, should Industry Canada assign a single licence to a national PSNE or multiple licences to provincial, territorial and/or regional (e.g. multiple provinces) PSNEs?

C-5 Which criteria should be used to assess whether a PSNE is eligible to hold a licence?

(A) Should the PSNE be required to represent the permitted categories of users, taking into consideration that the categories include municipal, provincial, territorial and national agencies? (See Section 5 for discussion on categories of users.) Specifically, should the PSNE represent:
- Category 1 users only?
- Category 1 and 2 users only?
- Category 1, 2 and 3 users?

(B) Should the PSNE be required to demonstrate how it will represent the permitted categories of users?

(C) Must the PSNE be endorsed by certain national, federal, provincial and territorial organizations responsible for public safety and emergency management (e.g. Public Safety Canada, Senior Officials Responsible for Emergency Management [SOREM], provincial and territorial emergency management organizations [EMOs], the Federation of Canadian Municipalities)? If so, which ones?

Provide supporting rationale for each response to the above questions.

13. SaskTel firmly believes that the licenses in question should be awarded directly to the Provinces and Territories.

14. SaskTel believes that PSBB networks in Canada will develop on different timelines in different regions of the country and that provincial licenses would allow those Provinces and regions which are ready to develop a PSBB network to do so without
waiting for national network rollout while also ensuring that those Provinces wishing to develop a less extensive network, while still in keeping with the overarching principles, can do so. SaskTel believes that a more centralized national effort would struggle to accommodate the concerns of regional public safety agencies.

15. As the development and construction of a PSBB network will occur at differential rates in individual provinces or on a regional basis, provincial licensees would provide the flexibility to accommodate this regional growth while ensuring that provinces continue to collaborate to ensure the future interoperability of the network.

16. Each Province or Territory is best equipped to deal with municipal and local interests within its borders in order to construct a PSBB network which best meets the needs of its users. Provincial public safety agencies deal with these interests today and continue to provide the best balance between representation of local interests and the need to provide a manageable and well-coordinated national system.

CONCLUSION

17. SaskTel recommends that:

- The spectrum licenses should be assigned to Provincial, Territorial, or Regional licensees.
- The primary purpose of the PSBB spectrum must be to provide uses related to the safety of the public.
- Commercial use should be allowed, at the discretion of the license holder, but should always be secondary to Public Safety purposes.
- When allowing commercial use, there must be a methodology of ensuring that PSBB use is given primacy.
- Any PSBB networks developed using this spectrum must be capable of interoperability both between Provinces and agencies and with the United States.
- To the maximum extent possible, the Department should set high level principles for the use of this spectrum and allow flexibility to adapt to future changes.

18. SaskTel thanks the Department for the opportunity to provide input into these crucial matters.