

**Before the
UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION
and the
UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL UTILITIES SERVICE**

In the Matter of:)
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American Recovery and Reinvestment Act of) **Docket No. 090309298-9299-01**
2009 Broadband Initiatives Joint Request for)
Information)
)

COMMENTS OF SKYTERRA COMMUNICATIONS, INC.

SkyTerra Communications, Inc. (“SkyTerra”) submits these comments regarding implementation of the Broadband Technology Opportunities Program (“BTOP”) of the American Recovery and Reinvestment Act of 2009¹ in response to the Joint Request for Information issued by NTIA and the Rural Utilities Services (“RUS”).² SkyTerra urges NTIA to allocate at least 20 percent of the funds made available in each BTOP grant round to meeting the special needs of public safety users, and to give priority to projects that would provide broadband technology that can be leveraged across public safety networks nationwide.

Background

SkyTerra operates a North America-wide satellite network that provides mobile communications in rural and remote areas and in emergency situations where no other service is as reliably available. SkyTerra currently provides two-way radio (push-to-talk) and mobile data services to federal, state, and local agencies involved in public safety and emergency

¹ Pub. L. No. 111-5, 123 Stat. 115 (2009) (“Recovery Act”). The Recovery Act directs the National Telecommunications and Information Agency (“NTIA”), in consultation with the Federal Communications Commission (“FCC”), to establish the BTOP. Recovery Act, Title VI § 6001(a).

² Joint Request for Information and Notice of Public Meetings, 74 Fed. Reg. 10,716-21 (Department of Commerce Mar. 12, 2009) (the “Joint Request”).

response operations. These include, among others, the Federal Emergency Management Agency, the Department of Justice, the Federal Bureau of Investigation, and numerous other local and state fire, police, and emergency response agencies. These public safety entities depend on SkyTerra's system for reliable, redundant, and ubiquitous services during daily operations and emergencies. Additionally, through its Satellite Mutual Aid Radio Talkgroup (SMART) program, SkyTerra provides nationwide and regional programs for interoperable public safety communications that operate on the SkyTerra satellite network. These talkgroups enable critical, interoperable communications among public safety officials from various departments and agencies. SkyTerra is now preparing to deploy two next-generation satellites that will enable the provision of mobile broadband service to handheld devices. The FCC has authorized SkyTerra to reuse its satellite spectrum to operate an ancillary terrestrial wireless network that will provide additional capacity in areas of higher demand.

SkyTerra has joined in comments being filed separately today by the MSS & ATC Coalition (the "Coalition"). The Coalition's comments urge NTIA and RUS to determine that for mobile services coverage area is at least as important as nominal speeds, to favor public safety grant applications that advance national public safety broadband network policy objectives, and to find that projects to deploy dual-mode satellite/terrestrial mobile devices are eligible for Recovery Act funding assistance. SkyTerra incorporates the Coalition's comments by reference and submits the following additional perspective for NTIA's consideration.

Discussion

Improving "access to, and use of, broadband service by public safety agencies" is one of five equally important purposes Congress established for the BTOP.³ As such, NTIA should allocate at least 20 percent of funds available in each round of grants to this purpose. When

³ Recovery Act Title VI § 6001(b)(4).

evaluating proposals that would improve access to and use of broadband by public safety agencies, NTIA should favor projects that address the unique set of challenges public safety agencies face in the deployment and use of broadband networks. Factors NTIA should consider include:

- **Interoperability.** Public safety agencies routinely provide mutual aid across agency lines and geographic boundaries. Interoperability of devices, networks, services, and applications among agencies is critically important to public safety users, and NTIA should support proposals that would facilitate the highest degree of interoperability among public safety networks.
- **Mobility.** Public safety agencies rely on mobile communications links, whether provided by terrestrial wireless, satellite networks, or both. Many or most public safety users are mobile, working outdoors or in vehicles at least a portion of the work day, and they are frequently called to respond to emergencies beyond the reach of commercial networks. In selecting projects proposing to improve access to and use of broadband by public safety agencies, NTIA should give priority to proposals that would facilitate the greatest coverage of mobile broadband service to the largest number of public safety users.
- **Resiliency.** As Hurricane Katrina showed, disasters that trigger the need for emergency response can disable or destroy both commercial and public safety communications infrastructure when it is needed most. NTIA should prioritize public safety funding proposals that would improve the reliability and resiliency of public safety broadband communications.
- **Network management and applications.** The full capacity of broadband to improve public safety communications cannot be realized without significant

investment in the development and deployment of tools and applications that meet the unique needs of public safety. “Off the shelf” network management tools and applications optimized for commercial networks are unlikely to meet the unique demands of public safety agencies. NTIA should favor proposals that advance public safety-specific technologies that are based on open architecture principles. Doing so will permit public safety agencies not only to adopt common and interoperable network management tools and applications, but also to enhance and extend those capabilities to meet their unique needs.

Public safety agencies need broadband networks that are mobile, interoperable, and resilient. To stimulate adoption and use of broadband by cash-strapped public safety agencies that already have narrowband networks in place, NTIA should support development and deployment of broadband technologies that provide powerful and compelling new features and applications tailored to the special requirements of public safety agencies. Simply deploying an IP network and porting existing services (such as voice communications or rudimentary polling applications) to an IP layer does not add value and will not stimulate broadband adoption. IP links are only as valuable as the communications tools and applications they enable.

The Recovery Act permits NTIA to provide funding to any entity that “the Assistant Secretary finds by rule to be in the public interest.”⁴ NTIA’s rules should state that it is in the public interest for applicants proposing to meet the special requirements of public safety agencies to be eligible to receive BTOP grants.

The available funding cannot be expected to fully achieve all five broad objectives of the BTOP program established in the Recovery Act, so it is appropriate for NTIA to apply

⁴ Recovery Act, Title VI, § 6001(e)(1)(c).

BTOP funds to projects that offer “credible, functional and scalable models for accelerating the deployment of broadband.”⁵ SkyTerra believes that investment properly directed at solving the non-recurring deployment and integration challenges of public safety broadband communications can stimulate demand for and accelerate adoption of broadband service by public safety agencies more than funding for location-specific infrastructure can. Such investment can extend the benefits of BTOP funding to all public safety agencies, including those that do not directly receive BTOP grants. Accordingly, when selecting public safety projects for funding, NTIA should give priority to projects that (i) would provide network management tools and applications tailored to public safety requirements and built on open architecture principles that permit individual agencies to further customize and extend capabilities; (ii) facilitate interoperability of networks, applications, and devices among public safety networks; (iii) enable first responders to have reliable service in the largest possible geographic area; (iv) enhance the resiliency of public safety networks; and (v) improve functionality and lower overall deployment costs for future public safety network deployments.

Respectfully submitted,

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⁵ Testimony of Mark G. Seifert, Senior Advisor to the Assistant Secretary, NTIA, before Subcommittee on Communications, Technology, and the Internet, Committee on Energy and Commerce, U.S. House of Representatives, Hearing on “Oversight of the American Recovery and Reinvestment Act of 2009: Broadband,” April 2, 2009.