

Request for Expedited Treatment

Motorola respectfully requests expedited treatment of its application so that it may commence its experimental operations beginning on June 17. It regrets any inconvenience caused by filing this request on short notice, but the submission was delayed so that Motorola staff could prepare additional engineering showings requested by the FCC staff to demonstrate non-interference to surrounding licensees.

Motorola scheduled the tests for this period to meet its contractual requirements with entities engaged in public safety and homeland security activities. Specifically, Motorola proposes to test and demonstrate prototype equipment before such equipment is certified or verified for unconditional sale, as required by Section 2.803 of the Commission's rules, 47 C.F.R. § 2.803 (2004). It must evaluate performance, capacity, signal quality, and data rates of such equipment to identify and make needed enhancements to ensure its products meet public safety and homeland security communications needs before Motorola seeks such FCC approvals for the equipment.

Motorola needs to commence this testing and data collection on schedule to avoid subsequent delays in finalizing development and FCC equipment certification. Given the need to implement public safety and homeland security measures as quickly as possible, a delay in testing could jeopardize the provision of public safety and homeland security services that the installation of new and innovative equipment developed by Motorola, once approved, would support.

Indeed, the radios under development would provide a number of public safety and homeland security benefits. Entities engaged in public safety activities require immediate, reliable, and ubiquitous communications capabilities in order to respond effectively to emergencies. Delays in communications could result in injuries to the public and damage to property. Temporary deployment and testing of these new radios in an operational setting is required to help ensure the levels of reliability, access, and coverage that public safety entities require.

The critical nature of public safety communications was recently confirmed in the Final Report released by the National Commission on Terrorist Attacks Upon the United States (the "9/11 Commission"), which evaluated, among other things, what is needed for emergency preparedness.¹ The Report acknowledged findings that "[C]ompatible and adequate communications among entities responsible for public safety organizations at [all] levels remains an important problem."² Clearly, a grant of the requested application would be in the "public interest."

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¹ 9/11 Commission Report, Final Report of the National Commission on Terrorist Attacks Upon the United States (rel. July 22, 2004).

² *Id at 397.*