



February 14, 2012

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Room TWA325
Washington, DC 20554

**Re: Application of the State of Texas for Temporary Spectrum Use at Harris County,
Texas and College Station, Texas**

Dear Ms. Dortch:

The Public Safety Spectrum Trust ("PSST") hereby provides its consent to the application of the State of Texas for experimental authority ("Experimental License") regarding its proposed temporary operation in the PSST's 700 MHz band spectrum to demonstrate Long Term Evolution ("LTE") equipment to public safety entities in the vicinity of Harris County, Texas and College Station, Texas. The demonstration authority would begin when the FCC issues the Experimental License and continue for a period of up to 6 months, as described in more detail below. The PSST understands that the operation planned would conform to the following parameters:

- 1) Operation will be conducted in the Harris County, Texas and College Station, Texas area. Equipment would include temporary base stations and associated antennas located at fourteen sites with a small number of portable units operating around each base station. This includes six sites in Baytown, Texas; four sites in Houston, Texas; two sites in Pasadena, Texas; one site in Spring, Texas and one site in College Station, Texas. The radius of coverage for the portable units is one of the parameters to be determined through the testing.
- 2) The State of Texas will request authority from the FCC to operate over the 763-768/793-798 MHz band. This encompasses the spectrum currently licensed on a nationwide basis to the PSST. The PSST and the State of Texas also previously entered into a long term *de facto* transfer spectrum lease agreement for use of this spectrum and that lease was approved by the FCC.
- 3) Operation will begin when the FCC grants the requested Experimental License and will continue for up to six months. However, we understand that when and if the State's Interoperability Showing is approved by the FCC, the requested Experimental License would go out of effect upon the Date of Service Availability for the sites approved in the Interoperability Showing.

4) The State of Texas has stated that this temporary operation will not be used in mission-critical operations or in the delivery of live transmissions in duties to protect life, property, or safety.

5) We understand that the State of Texas has analyzed information from the FCC's license databases and has determined that the proposed operation would not interfere or create a significant potential for interference with any public safety operations in the 700 MHz band.

Given the above information, the PSST concurs with the proposed operation by the State of Texas on certain frequencies currently licensed to the PSST as part of the 700 MHz Public Safety Broadband License for purposes of demonstrating LTE equipment in the Harris County, Texas and College Station, Texas areas.

This consent is subject to the PSST's ongoing ability to monitor any operations and use of the PSST's licensed spectrum.

Respectfully submitted,



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cc: Todd M. Early, State of Texas