



OFFICE OF THE COUNTY EXECUTIVE

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MILWAUKEE COUNTY EXECUTIVE

May 29, 2024

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

**Re: *Protecting Continued Local Control of First Responder
Communications Networks – Amendment of Part 90 of the Commission’s Rules, WP
Docket No. 07-100***

Dear Ms. Dortch,

Milwaukee County wishes to inform you that it strongly opposes any proposal that would remove control of the 4.9 GHz public safety spectrum band from local first responders. Specifically, under a proposal from the Public Safety Spectrum Alliance (PSSA), public safety jurisdictions may lose rights to access the band and the vital resiliency it provides for emergency communications.

The PSSA’s proposal to either directly or indirectly grant FirstNet access to a nationwide license for use of 4.9 GHz is problematic for several reasons. First, it would strip today’s 4.9 GHz public safety licensees’ right to expand their systems by forcing incumbent licensees to surrender the spectrum they are not using. Second, it would move the band to AT&T’s FirstNet network, which runs counter to a 2023 FCC order and its commitment to locally controlled public safety in the 4.9 GHz band. Finally, it would permit AT&T to use the band for commercial purposes, which runs counter to the mission of this public safety band.

The local nature of the 4.9 GHz band is also crucial for future preparedness and providing network resiliency to first responders. One of the most valuable elements of the 4.9 GHz band is the *ad hoc* control of public-safety communications at the local level. Many local and regional authorities currently operate point-to-point communications on the 4.9 GHz band, during natural disasters, natural disaster recovery, and other life-threatening emergencies. This flexibility is extremely valuable for building out networks and ensuring connectivity in emergency situations. To be clear, just because the spectrum is not actively being used, does not mean it is not crucial to public safety’s communications needs. These locally run systems are invaluable for resiliency and redundancy. Not only does the 4.9 GHz band support the individual mission of public safety jurisdictions, but it also allows for continued emergency communication and coordination in the event of emergencies and natural disasters that may disrupt traditional networks.

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The **4.9 GHz band** stands out because it is **exclusively reserved for public safety**, unlike other bands that are shared with commercial users. This exclusivity ensures that emergency services have reliable access to this spectrum during critical situations. Additionally, the 4.9 GHz band is **not crowded**, minimizing the risk of interference during emergencies. When disaster strikes, first responders need clear communication channels, and the 4.9 GHz band provides precisely that. Moreover, this band supports **higher data rates**, enabling applications beyond voice communication. First responders can utilize video streaming, data sharing, and real-time applications to enhance their operations. Finally, during natural disasters or network disruptions, the 4.9 GHz band allows for **continued communication**—whether it’s coordinating rescue efforts, managing resources, or providing critical updates, this band plays a vital role in ensuring public safety.

The PSSA’s proposal would radically restructure the band and, if adopted, would eliminate local public-safety choice and control of this critical spectrum resource.

We urge the FCC to reject the PSSA proposal to protect not only our use of the 4.9 GHz band, but the use of the band by first responders everywhere in this country, and the band’s critical role in securing public-safety.

Respectfully yours,



David C. Crowley
Milwaukee County Executive