



# FirstNet™



## Notice and Comment Response Summary

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Chief Counsel

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# Notice and Comment Process Overview

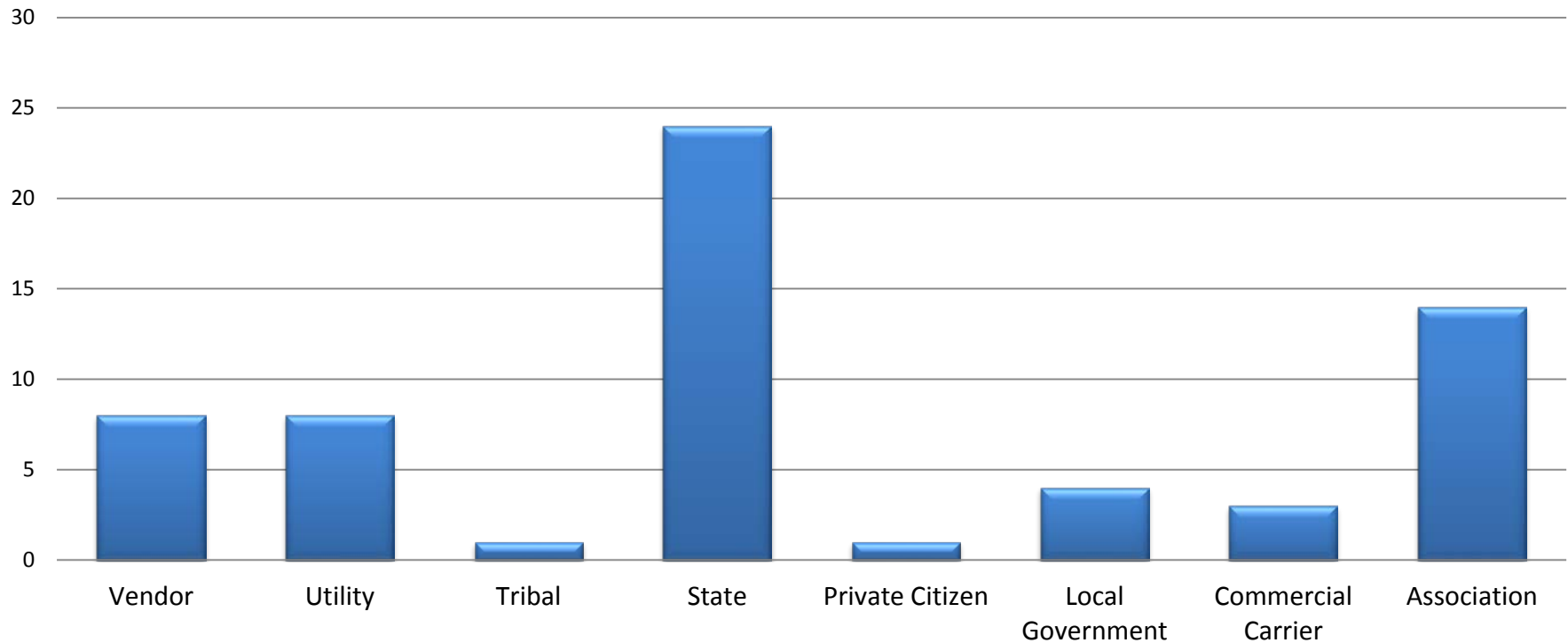


- The Notice sought comment on key topics including:
  - Network elements, including “core” and “RAN”
  - Network users, including “public safety entity,” “secondary” and other network users
  - Permitted services
  - RFP standards for “open, transparent, competitive” process
  - Definition of “Rural” and substantial rural coverage milestones
  - Existing infrastructure sharing
  - Fees, including covered leasing fees
- FirstNet will consider comments for purposes of informing the RFP process, interpreting the Act, and establishing network policies
- We have made no final determinations, and today is an update on comments received generally and will not hit on every comment. Numbers and positions of commenters are approximations

# Overview: Public Notice Responses



Summary of Responses Totals  
by Organization Type

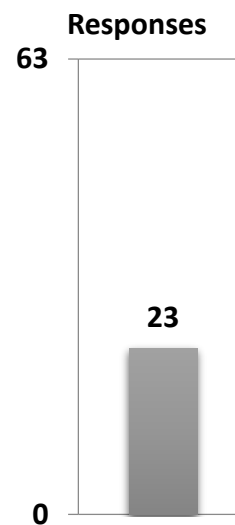
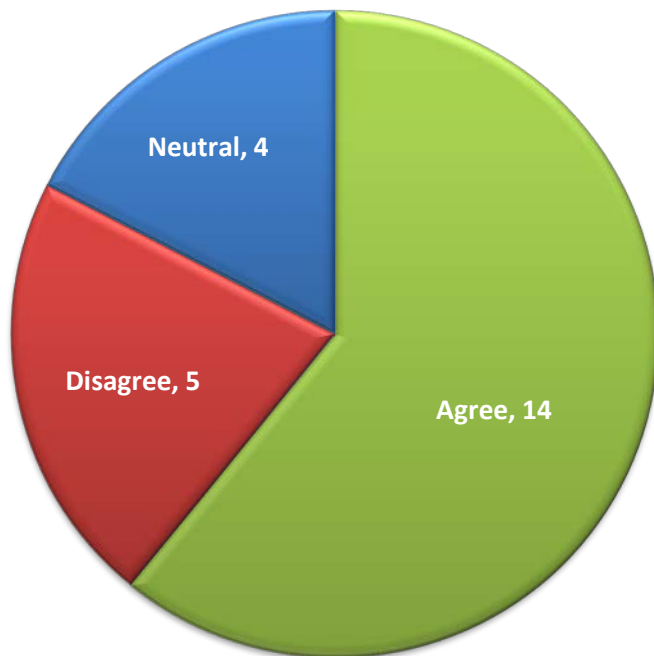


A total of **63** responses were received from various groups, including State, local and Tribal governments, commercial carriers and vendors, and associations.

# Topic: Definition of “RAN” and “Core”



The Notice Interpretation: core includes EPC elements, device services, location services, billing functions, and all other network elements and functions other than the radio access network, which consists of all cell site equipment, antennas, and backhaul equipment required to enable wireless communications with devices, including standard E-UTRAN elements



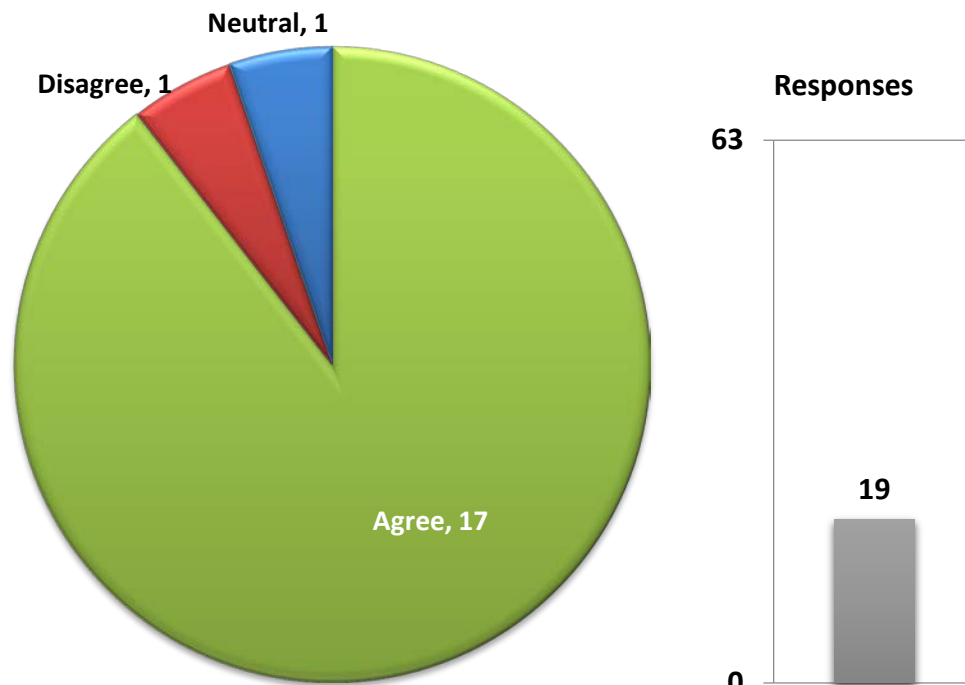
- Agree: majority of comments agreed with the proposed interpretation
- Disagree: sought an interpretation that would allow state and local administrative and application capabilities in addition to the national core
- Neutral: requested more specific “demarcation points” for clarity in determining the extent of backhaul services and facilities included in the RAN



# Topic: Opt-out RANs use FirstNet Core

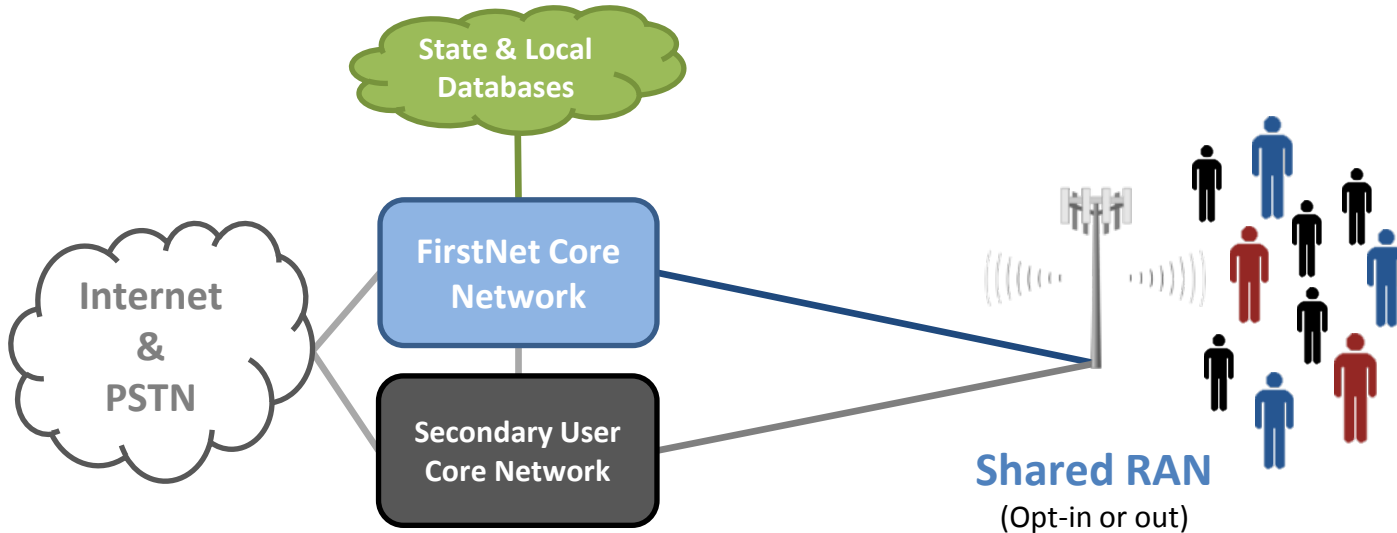


The Notice Interpretation: Opt-out State radio access networks must use FirstNet Core to provide service to public safety entities



- Agree: majority of comments agreed and indicated the proposed interpretation was key to ensuring the interoperability of the network
- Disagree: local cores for opt-out states can be interoperable following close testing, etc.
- Neutral: interpretation is sensible, but FirstNet should also ensure that opt-out states maintain an appropriate level of local control, priority, and quality of service so that the functionality of the network meets local requirements; subject to fixing core definition

# Topic: “RAN” and “Core” Overview



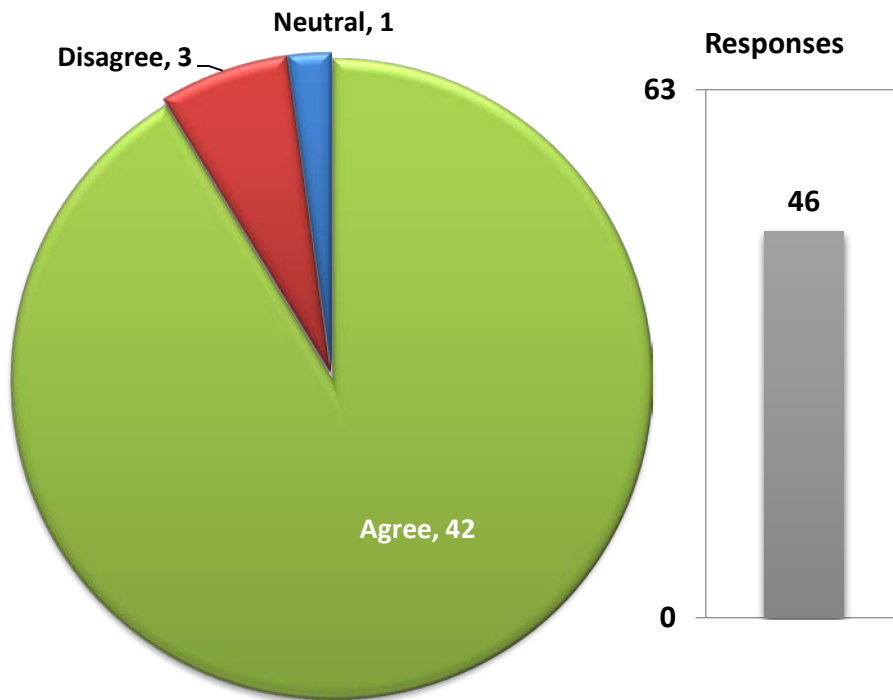
- State & Local Databases  $\neq$  FirstNet Core Network and can be directly connected to the FirstNet Core
- Opt-out States could have certain separate network functions from the FirstNet Core Network to the extent interoperability and priority/preemption for public safety are not affected – per FirstNet Network Policies



# Topic: Public Safety Entity



The Notice Interpretation: Public Safety Entities include entities that provide public safety services that either satisfy Section 337(f) of Communications Act or Section 2 of the Homeland Security Act

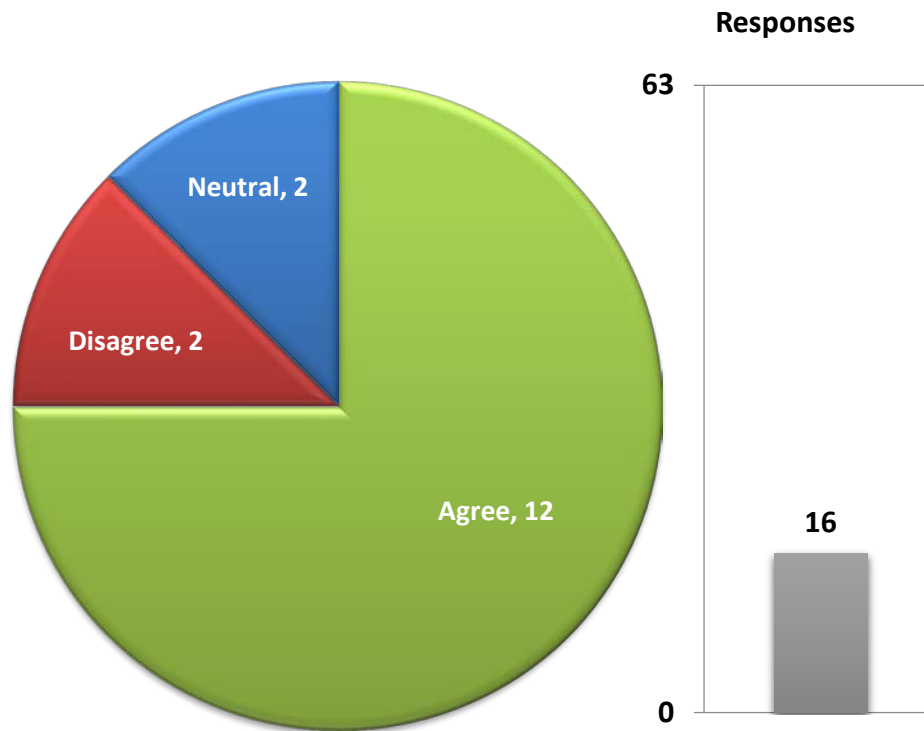


- Agree: majority of comments agreed and indicated the proposed interpretation vital to operation and sustainability of the network, with heavy state input on entities
- Disagree: interpreted Act to require only the Communications Act Section 337(f) “sole or principal purpose” language, with the HSA prong only partially extending the definition
- Neutral: to qualify to use the network an entity must be involved in an event related to public safety during planned events or disasters and that the governing body of the network in that jurisdiction should make the determination

# Topic: Individuals as Public Safety Entities



The Notice Interpretation: An “individual” may fall within the definition of public safety entity when serving in their official capacity



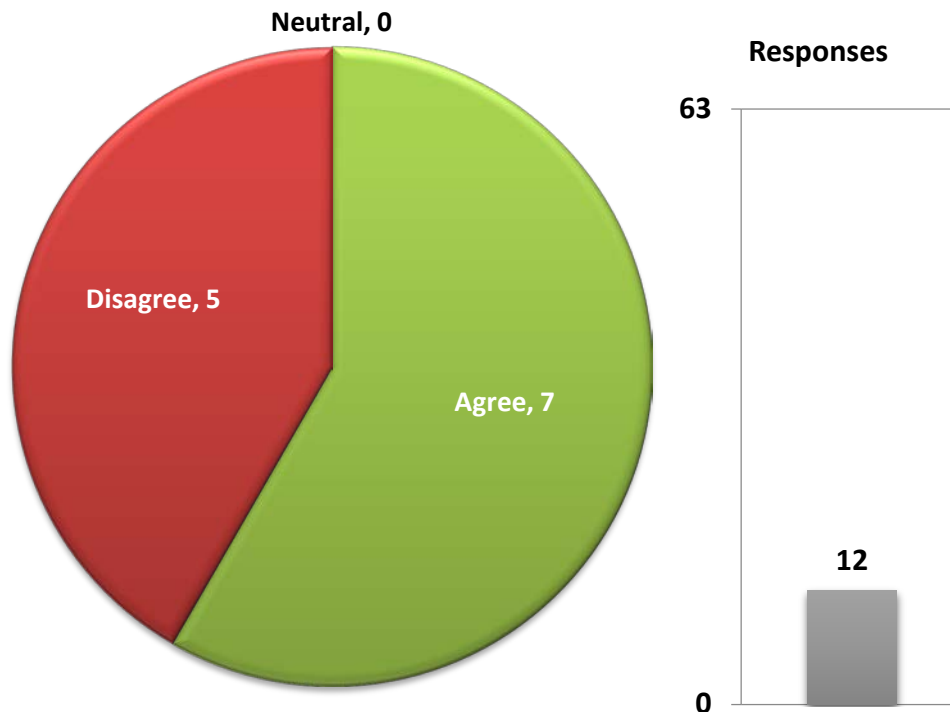
- Agree: majority of comments agreed stating the definition should include both organizations and individual people that “provide support” to primary emergency response personnel
- Disagree: narrow definition of public safety entity should be followed to avoid command and control issues
- Neutral: individuals must be affiliated with a public safety entity and decisions regarding usage must fall to an the entity with both the entity and the individual accountable for proper use of the network



# Topic: Secondary Users and CLAs



The Notice Interpretation: The definition of secondary user should be constrained to those entities entering covered leasing agreements

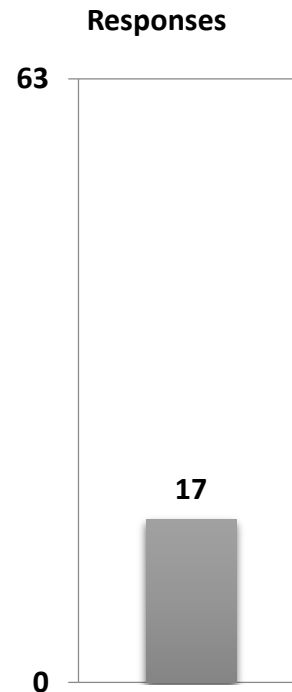
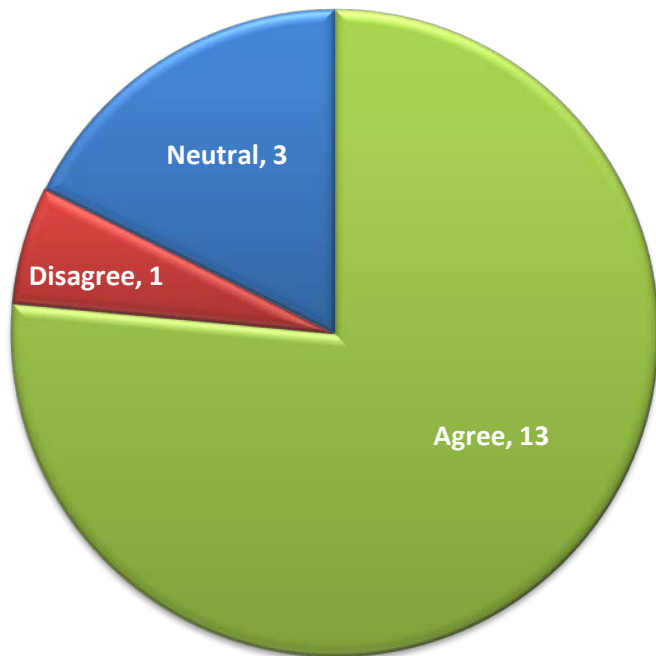


- Agree: majority of comments agreed that secondary user should be limited to those entering into a covered leasing agreement
- Disagree: because the Act permits user fees (in addition to CLA fees) to be charged to secondary users, CLAs should not be the only vehicle for secondary use (e.g., roaming agreements)
- Neutral: no responses

# Topic: RFPs Under the FAR



The Notice Interpretation: Complying with the FAR satisfies the “open, transparent, and competitive” requirements of the Act



- Agree: majority of the comments agreed
- Disagree: stating that FirstNet is not subject to the FAR
- Neutral: unfamiliar with and unsure if best interests are served by the FAR

# Topic: Definition of “Rural” Overview

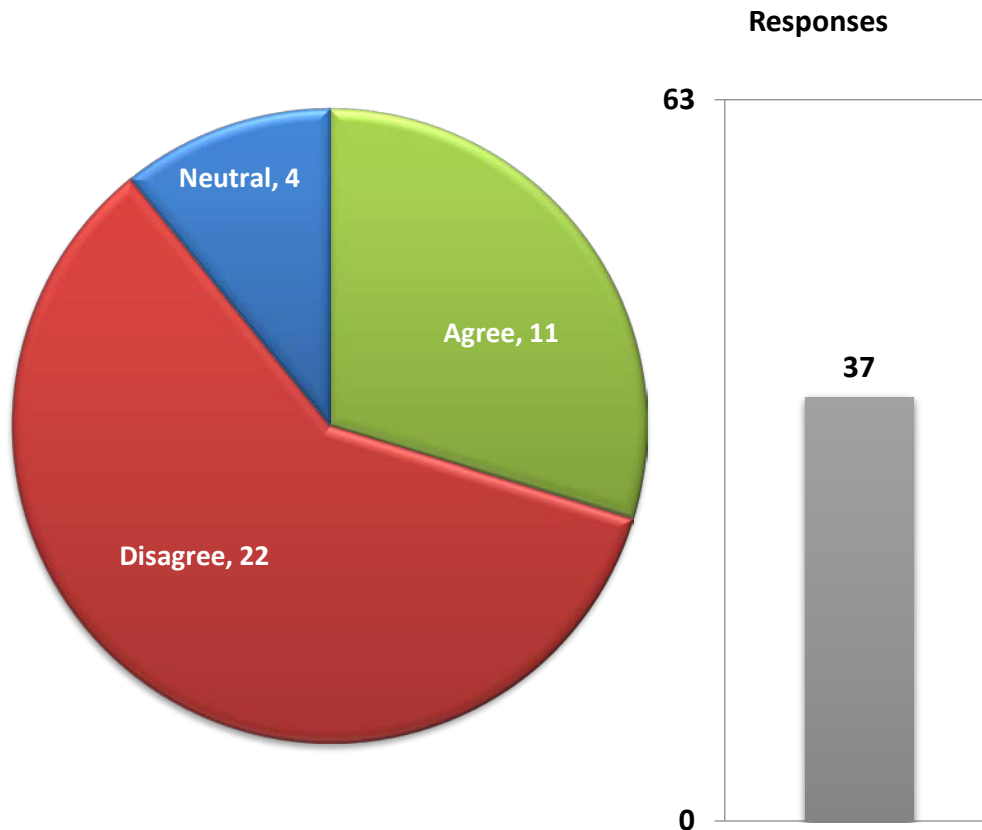


- The Act requires “substantial rural coverage milestones as part of each phase of the construction and deployment of the network” and for FirstNet “to utilize cost-effective opportunities to speed deployment in rural areas”
- FirstNet must develop RFPs with “appropriate . . . coverage areas, including coverage in rural and nonurban areas”
- FirstNet must consult with regional, State, tribal, and local jurisdictions on, among other things, “coverage areas of the network, whether at the regional, State, tribal, or local level”
- FirstNet preliminarily proposed the Rural Electrification Act definition, and asked if a lower density or other boundary should be established
- Definition of rural ≠ definition or guarantee of coverage
  - Consultation will drive priorities for rural and nonurban coverage
  - “Rural” guarantees substantial rural coverage milestones in each phase of building out appropriate rural and other areas after consultation

# Topic: Definition of “Rural”



The Notice Interpretation: Define “rural” as having the same meaning as “rural area” under the Rural Electrification Act



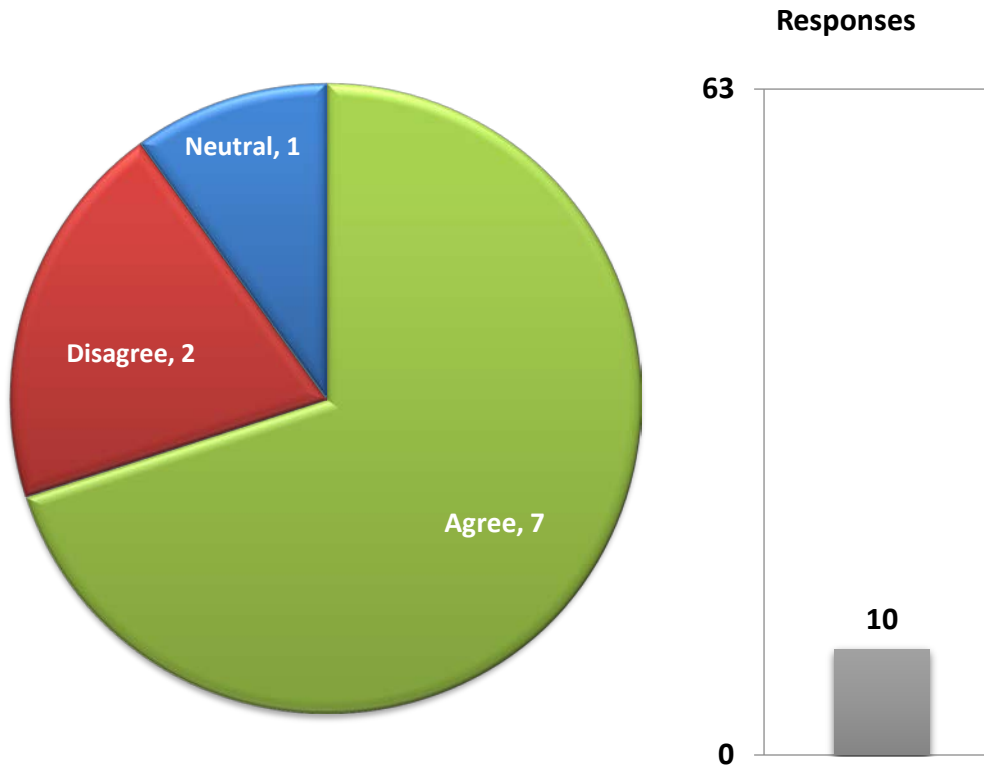
- Agree: widely recognized and used and would promote the substantive goal of providing coverage in rural areas
- Disagree: definition too limiting and responses suggest states should have primary role in identifying the rural coverage and milestones in each individual state
- Neutral: use an established statutory definition but adapt the definition where necessary to specific needs



# Notice Topic: Fees



The Notice Interpretation: All or a portion of Band 14 can be allocated for secondary use by a covered leasing agreement partner



- Agree: general agreement with the interpretation
- Disagree: general concern with the reference to “all” Band 14 spectrum
- Neutral: cautions FirstNet to ensure there is not an undue expectation that the CLA partner’s priority supersedes public safety’s access to and use of that spectrum



**FirstNet**<sup>TM</sup>



**Thank You**