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Transcript

FirstNet Board of Directors Webcast, Salt Lake City, Utah, December 9-10, 2014 **Part 3 - Outreach Committee**

JEFF JOHNSON: Good afternoon and welcome to the FirstNet Board of Directors committee meeting on Outreach. We're coming to you today from Salt Lake City, and my congratulations to the Fire Chief and the Fire Department for this lovely facility, which I understand they share with Chief Burbank and the Police Department. I also want to recognize a couple colleagues in the audience. Chief Dowd, good to have you back amongst us, and nice to see you. You've been sorely missed. Chief McEwen, I want to thank you for the walking tour of the museum and the entrance of the headquarters here. Probably the only person here that actually used that stuff.

PUBLIC PARTICIPANTS: (laughter.)

JEFF JOHNSON: Yeah. I know. Chief McEwen, in all seriousness, thanks for your leadership with the PSAC. We just wrapped up the PSAC meeting in Norman, Oklahoma. I thought your leadership was excellent and the meeting was really beneficial and rewarding for those of us that attended, so thank you Harlin.

So, in addition to that, Mr. Secretary, would you proceed with calling the roll?

UZOMA ONYEIJE: Before we get started with the roll, if it's okay, Mr. Chair, I'm just going to go through some of the things related to conflicts check that we have done in the prior meetings.

JEFF JOHNSON: That's because I'm on the wrong page. Thank you.

UZOMA ONYEIJE: All right. Well this is the conflicts check that we're doing in each meeting. I'll just read off of the notification here. In advance of FirstNet's December 2014 Committee and Board meetings, FirstNet's Office of Chief Counsel, in coordination with the Department's Office of General Counsel's Ethics, Law and Program Division, has provided each board member with a summary outlining each of the material agenda matters that will be discussed and decided during the committee meeting and has reminded them of their obligations under applicable law. Providing this document in advance to the board members allows them to identify any potential conflicts of interest and/or seek the advice of counsel regarding the identification of any potential conflicts of interest and recuse themselves from consideration of any relevant matters if required under law. We note that each board member has been provided the opportunity to review the agenda, and no board member, prior to the opening of this meeting, has indicated that they have any recusals. At this time we ask any board member that believes he or she should be recused from any matters planned to be addressed in this committee meeting please do so on the record now.

Hearing nobody indicate that they have recusals, I think we are now ready to go on with the roll call.

JEFF JOHNSON: Thank you, Mr. Secretary.

UZOMA ONYEIJE: Jeff Johnson?

JEFF JOHNSON: Here.

UZOMA ONYEIJE: Ron Davis?

UZOMA ONYEIJE: James Douglas?

JAMES DOUGLAS: Here.

UZOMA ONYEIJE: Kevin McGinnis?

KEVIN MCGINNIS: Here.

UZOMA ONYEIJE: Annise Parker?

ANNISE PARKER: Here.

UZOMA ONYEIJE: Suzanne Spaulding?

SUZANNE SPAULDING: Here.

UZOMA ONYEIJE: Richard Stanek?

RICHARD STANEK: Here.

UZOMA ONYEIJE: And Teri Takai?

TERI TAKAI: Here.

UZOMA ONYEIJE: Mr. Chair, we have a quorum.

JEFF JOHNSON: Thank you, Mr. Secretary.

Each member of this committee has before them a copy of the minutes of last meeting. The chair will entertain a motion to approve or revise the minutes.

BOARD MEMBER: Move they be approved.

JEFF JOHNSON: Have a motion. And a second. Any discussion on the motion? All those in favor of approving the minutes signify by saying aye.

ALL: Aye.

JEFF JOHNSON: Opposed, same sign. Motion carries.

At this time I'd like to turn it over to staff for a report and an update on state consultations, so I'll turn that over to you, David. Or it's Amanda – maybe you –

AMANDA HILLIARD: Yeah, I'm going to go ahead and get started here.

Thank you.

So thanks, Mr. Chairman, and thank you for the opportunity to brief the committee on our progress that we've made since the September meeting and some of our focus next steps. Before we jump into the updates, I wanted to start with just a general reminder of our consultation requirements. Stuart alluded to this earlier in the Technology Committee, but as you all know, we have general consultation requirements that we're required to do with the Public Safety Advisory Committee, with the FCC, with NIST, federal public safety entities, state, local, tribal stakeholders. So that's really where I'm going to focus the updates that I will give today will be focused on those general consultation requirements, and then Dave is going to talk more specifically about the specific state consultation requirements around the seven elements that we're required to consult on in that process.

Wanted to just talk briefly about our consultation goals that we have here within the team. Of course right now you're hearing, I think, pretty clearly this morning that our two main focus areas are the Request for Proposal and the state consultation process. So those first two goals that we have are really what we're focused on right now. Collecting input from our stakeholders to feed into that critical RFP process and doing a lot of education to the user community around FirstNet. We also want to keep in mind as we further move down into network implementation, we want to make sure that we're thinking about that, planning for that, you know, thinking about staffing needs down the road and when we'll be making that adjustment when we go through the transition to network implementation, so the last three goals here are on this slide are really focused around that, driving user adoption, preparing entities for nationwide deployment, and establishing and growing our customer base.

The other thing I wanted to mention, of course, last September, Dave and I had the opportunity to brief the board on our activities. Ms. Takai had mentioned or provided the feedback that she thought it was critical that our stakeholders have a single point of contact within FirstNet, much like we have a single point of contact with the states and now with the federal departments and agencies as well. So we heard that feedback, and as we've been looking hard at our staffing, our organization within consultation, and that's going to continue to evolve and grow, but we want to make sure that we're very mindful of that good feedback that you provided.

So today the team that we have on board, we have very specific areas that we're assigned to, whether it's consultation, outreach, state plans. But given the still relatively small team we have, it's kind of an all-hands-on-deck approach right now. We're supporting each other across activities, and we'll continue to do that for a while, but as we do bring on more staff, which is going to happen pretty soon, I think we're going to see a lot of growth over the next couple of months, we want to make sure that our organization evolves as we grow the team as needs change as the program evolves, as our stakeholders needs evolve, and also as we just get to know each other's skill sets better.

So this slide here, just a couple of things I wanted to point out, again based on that feedback that we got. We're not here yet, but we hear you and we will work toward having that single FirstNet point of contact for all 56 states and territories. We have it today in terms of our tribal participants with Carl Rebstock, and we'll have some more staff coming on board there. Federal departments and agencies,

we've made that pretty clear now with Chris Algieri on board. And then association, non-governmental organizations with Vicki Lee. Josh Ederheimer recently joined the team to help with the law enforcement community, and we'll be hiring some more staff there.

Secondly, in terms of building these regional teams that are going to really help us work out in the states and territories, we're going to ensure as we hire that staff that they will be responsible for both the state-specific consultation and general consultation within their states. Again, a single point of contact there, including the delivery of state plans.

And then lastly to ensure that we have a strategy/policy team that's ensuring there's appropriate feedback loops within the organization so that all this great feedback that we're going to be collecting from our regional teams, our engagement with federal, tribal stakeholders, that we really have good processes in place to share that information across our team and across the FirstNet organization.

So with that now I'm going to jump into a couple of specific updates on progress we've had since September. I'll start with the Public Safety Advisory Committee and our association outreach and consultation. Then we'll dive into states, and then we'll talk about tribes and federal as well.

So you've again heard from the Technology Committee, and Chief Johnson started, we had a really great engagement last week with the Public Safety Advisory Committee. Over 30 attendees. Really good dialogue on priority and quality of service. Public safety grade. The identity management issue, we talked about as well as state consultation. So some really good dialogue, questions and answers there, and we're getting ready to issue some new requests around priority and preemption and public safety grade, which I think a number of PSAC members, and I know Chief McEwen, are looking forward to getting started on that really critical and important work.

The other outreach that we've been doing, immediately after the September board meetings when we released the RFI with the Statement of Objectives and the public notice, we very quickly, that whole next week, we spent doing webinars with all our different stakeholder groups to really get the message out and walk through these documents and answer questions. So I think that was really effective. As you heard in the Technology Committee briefing, we had a really good response from the public safety association community on those important documents.

Relating to the PSAC, there are – as I've talked about before – we have a Tribal Working Group that is about to be stood up. We now have eight confirmations for participants to join that working group, so we're looking forward to getting that kicked off in January. Again, their goal there is to provide us advice and feedback on outreach, education and consultation strategies. And Richard Broncheau, who represents the National Congress of American Indians, will be chairing that group.

The other working group that we have set up is an Early Builder Working Group. Again, you heard about the five projects earlier from Jeff Bratcher, and this is really an opportunity to bring the five projects together to talk and share some of the lessons learned and strategies that they've had to get those down on paper and share them more broadly with the community. So they are actually officially kicking off next week with a conference call. Darryl Ackley, who represents the National Association of State CIOs and is from New Mexico, is chairing that group with Todd Early from Texas Vice Chairing that.

And then as I mentioned we talked a lot last week about the two new assignments that are going to be coming to the PSAC around priority and preemption, where we're going to be looking to get advice and

feedback on an initial framework for implementing access prioritization, user preemption, and prioritize application use in the network. Again, really good dialogue and conversation last week, and we're looking forward to officially getting that tasking out and having a lot of engagement over the next couple of months in particular until we get to their next meeting in June.

Related, we also had a good discussion about public safety grade. As, again, Jeff had talked about, the National Public Safety Telecommunications Council had provided a report with many recommendations on this topic that our team has been going through, and our team wants to get some feedback from the PSAC on our prioritization and how we plan to implement some of the recommendations in that report. So these are two really critical areas that I think we'll get a lot of good feedback and advice from the PSAC on. They are also two areas that we are required to consult with the states and territories on through the state specific consultation, so I think the timing is good to get the PSAC engaged from a national level to start the dialogue, and that can feed into our state conversations that we'll be having soon on these topics as well.

So now I'm going to shift over to our state consultation activities. I'll give just a brief report on, again, some of the general consultation progress we've made, and then turn it over to Dave to talk about the state specific consultation, some of the use cases and applications we've been hearing about through the consultation meetings we have done to date, why this process is so important, and then talk about some of our key next steps.

So again, much like I described for the public safety associations, we also did a number of webinars with the state single points of contact around the RFI, public notice and consultation, and we're pleased to see about half of the states actually replied to the public notice and many replied to the RFI as well. So really great feedback through that process. And we continue to get good feedback through the monthly calls that we do and the quarterly webinars that TJ leads.

We also had the opportunity to participate in 20 state-led events in addition to our consultation meetings, so those have been a great opportunity – I know the SPOCs really appreciate when FirstNet staff is able to come out and help them to lead their outreach engagements. Many of them have been advocates and have been talking a lot about FirstNet for a year or two, and I think they find it's helpful to have us out there delivering the same message, and just for their stakeholder audience to see that. We're finding now as we get into some of these outreach engagements a mix of you have some stakeholders who are really well-versed in FirstNet, they're keeping up with the news every day, and then you have some who are still hearing about it for the first time. So we've had to make sure we adjust our presentations so that we can ensure that both of those audience groups are getting something out of our engagements.

Lastly, I just wanted to touch on our staffing. So you may have seen we've been actively posting for our regional positions, which, again, are going to support both the consultation and outreach activities. We are interviewing right now for Regions 5, 9 and 10, and we'll soon be starting the interviews for 2, 4 and 6. And then the last four positions we expect to advertise for next month. I would note we are advertising these as two-year term positions with the option to extend for an additional two years. We thought given where we're at right now, and with the future we're unsure exactly what federal staffing needs we'll have when we're in an environment where we have a partner or partners, and how that might change from what we need today. So we thought the term positions provided a good opportunity to have some flexibility there.

So, again, we have three that we're interviewing right now. In some cases we're seeing some pretty good, high-qualified candidates, so I'm feeling optimistic that we're going to be able to add to the team and make some hiring decisions here, and look forward to continuing to brief you, and hopefully by the next time we meet in March we'll have some additional staff on board.

So with that I'm going to turn it over to Dave to get into the state specific consultation activities.

DAVE BUCHANAN: Thanks, Amanda, and thanks, Mr. Chairman, for the opportunity to work with you today to give you an update on the state consultation process. I'll talk a little bit today about the progress we've made to date, talk about what we've learned through the consultation meetings we've held so far, and talk to you about what some of those results have been. This map, you may recognize from the last meeting, continues to get deeper and richer in the dark blue colors, which represents the states that we've completed their consultation meetings, and there are eight states that we've completed. We have 12 more meetings; those are the green states, that are scheduled for later this week and into the first quarter of 2015. We have 13 states that have indicated their readiness to begin consultation, and we are scheduling those meetings for early part of 2015 as well. We have 33 states that remain – pardon me, 23 states that remain still not quite ready for their consultation meeting. We provide them with conference calls and other information to prepare them for the information we need to schedule a meeting. We just sent out correspondence to those states encouraging them to work with us so that we can get those scheduled.

I want to take a few minutes here during the afternoon to talk to you about some of the things we've learned during the consultation meetings. One of the key elements of the consultation meetings is the time during the day when we allow states, and ask states, to give us information and presentations about what is unique about the public safety information and public safety work that they are doing in their state. It's been a critical component to our meetings and has become a very fruitful way for us to get a better understanding of what makes some of the states unique and what kind of challenges that they face in their states. At our first meeting in July with the State of Maryland we heard from Battalion Chief Walsh from the Baltimore Fire Department who talked about the Preakness horse race and the – I think everyone's familiar with the second leg of the Triple Crown - a hundred thousand, 150,000 people descend on Baltimore for the three-day event. Talked about the challenges for the multitude of public safety agencies that provide public safety services at that event, and the challenges that come with the overloaded commercial networks. They talked about the opportunities they see for working with FirstNet that a dependable, hardened, public safety dedicated network would provide. Talked very specifically about the kind of deployables that they currently use and the potential for a deployable solution for planned special events going forward, not only the Preakness but other special events in Maryland, in planned events where they know there's going to be a challenge and where they know there is going to be a need for additional resources.

When we were in Washington, we heard from Scott Honaker from the Snohomish County Department of Emergency Management who talked about the Oso mudslide. Many of you may remember this mudslide from March of this year. Forty-three people died, scores of houses were destroyed, all from this very unexpected natural disaster that occurred in Oso, Washington. All the fiber lines in the area were cut, phones were down, 911 failed to work. And there was really – they described – Director Honaker described really the lack of situational awareness that the public safety had when they were at this event. They heard mud slide and the first responders that showed up on the site came with shovels. Clearly, there was not a lot of information to help provide them with the right kind of response for the moment. And they talked about the need for a resilient network, one that could come back up very quickly. While they had their radio systems and they continued to work for most of the responders, it

took a very long time before the commercial networks that provided them with other critical data were up and running again.

When we were in Minnesota Chief Fruetel from the Minneapolis Fire Department talked a lot about the 2007 I-35 bridge collapse. I-35 is the interstate that runs east and west across the state between Minneapolis and St. Paul. Bridge collapsed. Fourteen people perished. One hundred fifty vehicles were involved. And he talked in great detail about the response that the Fire Department had that day and the challenges they had that day with over a dozen state, federal, local public safety agencies, all descending on the same scene, not interoperable, and how critical an interoperable network like FirstNet could have been in order to help them provide response services in that situation. We also talked a lot about how at the very same time, again, taxing commercial networks, because there was a baseball game at the same time in Minneapolis. When people got word of the bridge collapse, everybody instinctively got on their phones, called to find out what the alternative routes were, and completely shut down the networks. We've heard a lot about, again, how critical interoperability will be for first responders and also the need for data and video. We heard about the process the Fire Department went through to retrieve the vehicles, the video that was available – or the video that wasn't available that could have been available had to be hand delivered to the folks on site many, many hours later instead of having something that could have been much more rapidly deployed to the first responders on the scene.

The last example I want to give is when we were in Oregon, and this was an incident I wasn't familiar with, but happens unfortunately all over the country, was an active shooter situation. This was in Clackamas Town Center in Clackamas, Oregon. We heard from Cheryl Bledsoe from the Clackamas County 911 office talked about on December 11, 2012, at the height of the holiday shopping season, a gunman came in and shot up the mall. And shot people, and shot the stores, killed two people. And they described what an active shooter situation is like under the current communications that they have in Oregon now and with the opportunities they see for FirstNet in these situations going forward and talked about in an active situation, again, the commercial networks became overwhelmed. There was very little situational awareness for the officers, and the utility of having in-building coverage in a high density building like a shopping mall would have dramatically increased the ability of first responders to do their job in those kind of situations.

So I think you can see we're getting a lot of interesting dialogue. These use cases give us an opportunity then to have a good conversation with the state about specific instances that they've experienced. It gives us an opportunity to learn more about what is unique in their state. And gives the other people that are involved in the consultation meetings who may not have been involved in these instances to learn from their colleagues and compare their observations about the value of a FirstNet network in their state.

So a number of critical elements that are coming out of these initial consultation meetings are producing, I think, very good results for FirstNet. In addition to being able to capture, I think, state information that will be utilized in the drafting of our plans and drafting of our RFPs, these meetings are really supporting an important dialogue and improving communication between the states and FirstNet and I think are establishing a strong credibility for FirstNet with the first responders that come to the state meetings. The kind of dialogue that we're having and the kind of discussions that occur are allowing us to leave with, again, very good relationships and discussions with the states. We are getting a very good understanding about what's happening in those states, we're gathering that information, collecting it, bringing it back, using that for our planning, using it for our acquisition approach. And we're

getting a better understanding for the state needs not just from the state leadership but from a diverse group of folks in the state who represent the four corners geographically in the state, the various public safety disciplines in the state, or represent various levels of government in the state, not just the state employees or municipal employees, county employees, but representatives – tribal employees – but representatives from all levels of government in the state. So they've been very productive and we think producing important results for FirstNet as we go forward.

So the next steps for us are to continue to analyze the data that we're gathering and the information we're gathering from these states, continue to plan and deliver these consultation meetings in 2015. You heard me describe we've done eight, we've got 25 more to do in the next early part of 2015, and almost 25 more to do after that. We'll continue to do our planning with our SPOC webinars, and our monthly calls that occur every month with the SPOCs and their teams in all the regions. We are planning for an in-person SPOC consultation meeting early 2015. And continue to participate in the various state engagements you heard Amanda describe earlier, which are, I think, very important elements to our outreach and consultation with the states as well.

So with that I'm going to turn it back over to Amanda for the last part of the presentation.

AMANDA HILLIARD: Thanks, Dave.

So just wanted to provide a brief update on our tribal engagement activities. So you've heard over the past year Kevin McGinnis mention all the work he's done with many of the national tribal organizations. Now with having Carl Rebstock on board we've been able to participate in some of the regional tribal events as well and get down and do some reservation site visits. So he has gone to a couple of the consultation meetings where we have heavy presence of tribes within the states and has been able to stay for a couple extra days and meet with some tribes one-on-one, just do some general education and awareness of FirstNet, which has worked out well.

We've seen pretty limited participation from the tribes so far in the consultation meetings that we've had. We have seen some participation, which has been good, but probably not as much as we would like to see, so working with Carl right now and our team, working to pull together a more detailed plan for how we can help support the SPOCs and the tribes to really help facilitate that engagement, get the tribes involved in these consultation meetings and in FirstNet activities. So we'll be talking a lot more about that in the future. And I think with the Tribal Working Group now under the Public Safety Advisory Committee coming together, getting some of that membership in place, the timing is really good for us to get some advice and feedback from them on this plan as we get ready to ramp that up.

And then lastly in terms of our federal engagement, we're continuing to be engaged with the Emergency Communications Preparedness Center as well as the FirstNet Consultation Working Group, again to give updates and educate them on our activities. Having Chris Algieri on board now we've been able to support some additional one-on-one meetings with the departments and agencies, so recently with the Department of Agriculture, the Department of Justice, and I don't have it on the slide here, but the Department of Interior, in particular their CIO office, is just around the corner from where we sit every day, so I know he's been having a lot of engagement and informal conversations with them.

We are working to bring on a couple additional staff to help with our federal engagement activities. That package is near final, so we'll have a couple of positions post on USAJOBS in the next couple of weeks for that and to help build out that support. And we are wrapping up a plan. We plan to essentially mimic

the state consultation process, these initial consultation meetings that Dave just talked about, we're planning to do that with the federal departments and agencies. So we're working right now on finalizing an initial consultation package much like what we put out in April with the states and territories to collect some information ahead of time before we go and have that dialogue. So we're working on that package and plan to do some one-on-one meetings with the departments and agencies, again to make sure we're hearing their specific needs and desires to incorporate into our state planning process.

I think we've talked before through the ECPC process we have identified a single point of contact for each federal department and agency, so we'll be working with that individual for this work, and we're looking forward to really getting that started and ramping up the federal consultation in early 2015.

The last thing I wanted to mention in terms of our engagement with our Canadian partners, Chris Algieri also from our team has had the opportunity to attend two recent conferences or workshops in Canada with the Canadian Interoperability Technology Interest Group. As you may know, Canada is very close to obtaining the same 20 megahertz of spectrum that FirstNet is licensed for, so Canada has been watching FirstNet and all of our activities very closely, and are eager to form some more relationships there and kind of take some of our lessons learned as they work to more formalize their governance process. So I think his participation has been helpful. The Canadians have appreciated it. It's also been a good opportunity. Many of our northern border SPOCs and statewide interoperability coordinators have been participating in those engagements as well, so I think they are pleased to see FirstNet participating in those conversations.

So that wraps up our update. We've been pretty busy the last couple of months, again, focusing on getting the word out on the public notice, the RFI, the SOO, and of course getting these state consultation meetings underway through the beta projects and really are on a good pace now and have a good agenda that those meetings have been going really well, and looking forward to continuing all of that into the new year and getting a little more strategic about some of our engagements with our federal partners as well as our tribal stakeholders.

So with that we'll open it up to any questions.

JEFF JOHNSON: Yeah. Thank you. Any questions for Amanda or Dave? Sue?

SUE SWENSON: Amanda. A couple of things. Great progress on the state consultation. And I was looking at the calendar for the remaining – I think there's 25, I think, or something like that. And then you've got the resources that you're adding on. How confident do you feel that you're going to have adequate resources to get –and, because that's a big number. It's double of what you're doing now. And are you going to have the resources in a timely enough fashion to get that consultation done?

SUE SWENSON: That's a tough question.

DAVE BUCHANAN: I'll take the first part of that answer and say we're confident we're going to have the resources we need to deliver that. I just stepped out earlier today to have another conversation with our partners that are going to help us deliver these consultations and the additional resources we're going to add through that relationship. And that's underway and on track and we believe will be here to help us with these in early 2015.

SUE SWENSON: Okay.

AMANDA HILLIARD: And that would be in addition to hopefully the ten regional staff that we'll be able to bring on.

SUE SWENSON: Okay. And then the regional staff, are you designating a particular location where those regional staff reside? Are you looking for them to be in particular parts of the region or anybody in the region anywhere can qualify?

AMANDA HILLIARD: Yep. So right now it's anywhere in the region –

SUE SWENSON: Okay.

AMANDA HILLIARD: We're just looking and we've just advertised at this point for the regional lead.

SUE SWENSON: Okay.

AMANDA HILLIARD: So it's just one position right now in each of the ten regions.

SUE SWENSON: Um hmm.

AMANDA HILLIARD: We're just looking for the best person, yeah.

SUE SWENSON: Okay.

AMANDA HILLIARD: So the location – they have to be within the region, but beyond that no specific requirement there.

SUE SWENSON: Last question.

AMANDA HILLIARD: Sure.

SUE SWENSON: Northern border. I'm thinking about the southern border, and I live close to a southern border, and I don't think we've done too much consultation around the southern borders. Do you expect that to be a topic of discussion? I know New Mexico is kind of looking at that from their project perspective because of the issues that we have with Mexico versus Canada. Do you expect that to be a bigger topic in those consultations?

AMANDA HILLIARD: I think so, yeah. And we should have good learnings, I think, from the BTOP project.

SUSAN SWENSON: Um hmm.

AMANDA HILLIARD: The Department of Homeland Security Office of Emergency Communications has a southwest border communications working group that is meeting again in January that I believe we'll attend that they – at their last meeting they had a lot of broadband on their agenda - so we'll be participating in that as well.

SUE SWENSON: A little more challenging than the northern border.

AMANDA HILLIARD: Yes.

DAVE BUCHANAN: Just a follow up on that. We'll have our first consultation on the southern border with Texas on February 11th. We had our pre-conference call with them last week to prepare for that meeting. They already indicated they are going to bring an example during their use case about what it's like providing public safety on the border and their interactions there and their interactions with federal law enforcement.

JEFF JOHNSON: Thanks, Sue. Any other questions?

TJ KENNEDY: Just a follow up in addition, I think, for Sue. On the border question, I think we've seen a lot more proactive coordination on the Canadian border, so even though we're dealing with a lot of the same federal agencies, and then obviously the states on either the southern or the northern border, the spectrum issues are a bit unique, and Jeff and his team have been looking closely at that. And part of the reason that we're glad that Canada is kind of headed down a similar path is it makes our coordination a lot easier. But on the Mexico side, it's definitely much more state driven and federal agency driven on our side of the border, and there's a lot more work to be done.

JEFF JOHNSON: Further questions or comments? Governor?

JAMES DOUGLAS: Just one other observation, Mr. Chairman. I had the opportunity to meet with the Governors-elect last month through the auspices of the National Governors Association, and it was a good opportunity to sensitize them to a program of which I don't think they were aware. And I'm not sure it's going to be the first thing on their minds as they begin their new administrations, but I wanted to plant a seed, and we'll have the opportunity to follow up with them in the not-too-distant future.

JEFF JOHNSON: That's great. Amanda, thank you. Dave, thank you. And TJ, your staff has done a great job, so thanks for resourcing them properly and turning them loose. They've really helped make the connection to the states, done the outreach and the listening, and bringing it all back.

I think that brings us to the point of our agenda today where we want to actually listen to our attorney advisor Eli, who is going to talk about the public notice interpretation. So, Eli?

ELI VEENENDAAL: Thank you, Mr. Chairman. I'm actually going to turn over to Chief Counsel Stuart Kupinsky to begin the presentation.

STUART KUPINSKY: So we're going to try and field a team effort here, again, and this time probably in addition to Eli, may ask Rich Reed to participate.

You've got a number of big ticket items within the jurisdiction of the committee. First and foremost, we spent a good amount of time talking about the public safety entity definition at the last board meeting before we launched the notice and comment proceeding. And it's obviously a lynchpin item defining who we can serve on the network. And we are obviously myopically focused on traditional first responders as the primary users of the network. But I think it's important to understand that the Act draws a slightly larger boundary. And the debate, really, about this definition is how far that boundary expands and who is encompassed beyond traditional first responders. And the Act essentially carves out a supporting cast, if you will, for traditional first responders.

And just to try and help the discussion of this topic and what commenters brought back with, we thought it would be important to talk about a few items up front. So number one, whatever this

definition is, it's really the starting point, not the ending point, for the discussion about who is going to get on the network. Who's going to be eligible? At what point in time they're going to be eligible, and the types of services they get and when they get them.

The real driver is, as per a number of items, the consultations we have with the individual states, which include expressly under the Act, consultations about the entities that are to gain access to the network. So it's a critical point to understand because it frames the debate about the definition itself. It is the starting point, not the finishing point.

Secondly, there were a number of very helpful comments that we wanted to call out in generic terms that basically described the appropriate methodology for rolling out the network as it pertains to the non-traditional first responders that would gain access. The commenters basically described a system whereby either through testing before initializing network access, or rolling out in staged fashion, that we ensure that traditional first responders gain access and the appropriate priority first before burdening the network with any non-traditional first responders. And we obviously agree that we would take both those and other steps to ensure that traditional first responders are given the maximum benefit from the network.

With respect to the definition itself, it's also helpful to talk about exactly what does it mean to be a public safety entity under the Act. And to try and translate across some of the technological discussions we've had and match that up with the statutory interpretation. Again, this dramatically oversimplified network diagram. Really, to be a public safety entity means to be served by the FirstNet core network. And that has a number of ramifications. First and foremost, when you are served by the FirstNet core network, FirstNet is able to ensure the most granular control for public safety of priority and preemption. So if you're served by the FirstNet core, we have the best shot at ensuring that priority and preemption is allocated and applied appropriately. So if an incident commander wants to be able to turn up or turn down priority for the supporting cast that I described earlier, the best way, technically, it's not impossible to do it otherwise, but the best way, technically, is to have those individuals subject to priority and preemption served by the FirstNet core network.

So part of what we were doing in the notice was trying to describe the ramifications of being a public safety entity. But again, the Act itself has a definitional scheme. And so descending now into the strict legal interpretation of the Act, we proffered up an interpretation that I think from a numerosity standpoint got overwhelming support. But there were some impassioned and articulate disagreements with our definition and the approach we took. And they centered really around how far this expansion beyond traditional first responders goes. And to understand that, I'm going to ask your indulgence with a little bit of a Venn diagram, if you will.

The definition of public safety entity under the Act hinges on a further term, public safety services. So public safety entities are entities that provide public safety services. Public safety services are then defined using two prongs. The first prong and the second prong have a relationship that is subject to debate under a legal interpretation. The wording in the Act is that public safety services has the meaning given the term in X, X is the Communications Act 337 definition, and includes services provided by Y. Y is the Homeland Security Act definition. But to simplify things, I'm just using X and Y.

So these Venn diagrams really are the interpretive options, if you will. There's a flip side to number four, but generally speaking these five are the interpretive options that we had in front of us. And what you quickly arrive at in examining the Communications Act definition and the Homeland Security Act

definition, which are encompassed in X and Y on this diagram, is that both X and Y contain services or entities that are not present in the other. So X contains – X being the Communications Act, for example – enables traditional first responders to designate entities that may or may not be traditional first response entities themselves, as public safety entities essentially. That mechanism of designation is not contained in the Homeland Security Act. And so there is a part of X that is not contained within Y.

Similarly, the Homeland Security Act describes federal users, and that's not provided in the Communications Act definition, so Y contains something that is not in X. When you arrive at that point, you eliminate – because of that – you eliminate diagrams one, two and four, really. Diagram three is a reading of these two prongs that would require satisfying both in order to qualify as a public safety entity. That would mean, for example, that federal entities would not be able to use, arguably, the network because they are only in the Y, the Homeland Security Act definition. So for those and other reasons we rejected diagram three in our preliminary interpretation.

So we're left with diagram number five, and so the question becomes what are the boundaries of the two circles joined together. We're still exploring this, and I think our example in the notice of including utilities proffered probably the most particular objection from some parties. We had overwhelming support from NPSTC and states, but commenters such as APCO and AT&T felt that the expansion that we had suggested, in particular under the Y circle, may have gone too far. So we're continuing to look at these definitional schemes.

I would point out to the board that the designation scheme that I mentioned earlier would potentially allow traditional first responders, for example during the consultation that we talked about earlier where we're required to consult with the states and other entities on the entities that are allowed on the network, this designation ability could mean that first responders could designate utilities and the extent to which those utilities could act on the network. And so you can see where this becomes a complicated equation. In addition to just the framework of the definition itself, which could theoretically encompass entities such as utilities, the designation mechanism under the Act is another avenue by which, for example during our consultation, if in particular states, utilities were essential to the first responder community in those states, they may want to designate those entities as being eligible to participate to some extent on the network. So this is a TBD, but I wanted to go through the interpretative mess, if you will, so that you get a framework for the next stage of our analysis.

This diagram I'm not going to go into in detail, but it's another way of looking at the public safety entity definition, and you can get a feel for why it gets a little bit complicated very quickly because the entity is defined by the services, which are divided into two baskets, which are then further defined by four sets of different entities, which in some cases are defined by further services and individuals. So it's a complicated definitional scheme.

One of the unique aspects of the Homeland Security Act definition is that unlike the Communications Act definitional prong, the HSA prong includes personnel, if you will, in the definitional scheme. And so our preliminary interpretation was that individuals, in addition to public safety entities, meaning organizations, would be included as entities that could be eligible for the network. So we used the example of a volunteer fireman. In addition to the public safety entity for which that volunteer fireman was working, that the volunteer fireman, him or herself, would be eligible to be on the network when acting in their professional capacity. And so we got 16 responses on this definitional scheme with a lot of folks agreeing. But, again, some proffering up objections that it really should be the organizational entity

that controls whether the volunteers gain access. And these are legitimate discussions to be had under the definitional scheme.

Both prongs of the definition include aspects of non-governmental entities in addition to governmental entities potentially being eligible on the network. This similar to the overall definition, this aspect of the definition provided a spirited debate. And we asked in the notice, assuming for the moment that the full panoply of non-governmental entities could be given eligibility under the definitions, within the definition, which of those non-governmental entities should be given permission to come on the network. Again, this would be subject to consultation and those kinds of inputs, but this notice is a form of consultation, and so we took the opportunity to try and get some feedback. And these were the entities that were provided. Some of them are born of the FCC's interpretation of the Communications Act definition and translated into the non-governmental world. But these were the responses we got back and they were very helpful to see.

The designation capability that I mentioned earlier, we asked which traditional public safety entities meet what's called the primary mission limitation under the Communications Act prong, and thus would be eligible to designate other entities. And so there's no real surprises here as to which entities would be able to so designate under that prong.

And then with respect to opt-out states, I think we caused some confusion in our zeal to nail down some of the particularities under the Act that we were somehow placing opt-out states in a position where they would be charged for purposes of just interconnecting into the FirstNet network, they would be charged potentially fees beyond the core fee that's set out in the Act. And that wasn't our intent. We were really just trying to basketize them appropriately, and obviously the core fee is the fee that an opt-out state would be paying in that regard.

And then finally with regard to the definition of secondary users and covered leasing agreements, that's the reference to CLAs on the screen, you may remember that the public notice took the position that there is no real definition of secondary user but we felt that the best approach under the terminology use in the Act was that secondary users were the entities with which we entered into covered leasing agreements and that they didn't have an existence under the Act separate from that. There would be, of course, commercial customers of secondary users. But we had some commenters argue that because there are user fees that can be charged against secondary users, separate from their existence in the definitional scheme of covered leasing agreements, that that must mean that secondary users cannot be limited to those entities with which we enter into covered leasing agreements. I would point out, though, that just because we so limit the definition, that is to say that secondary users are those entities with which we enter into covered leasing agreements, it doesn't mean that those entities can't also seek access to the network in other ways that would justify the user fees under the Act. So it's not a talismanic test in any way, shape or form. So we're continuing to look at that.

What I might suggest is we're going to move on to a different topic, so I might pause here if there are any questions about public safety entity and then I'll hand the baton over.

JEFF JOHNSON: Any questions?

SUE SWENSON: Sorry, Stuart, I just – when you're talking about the public entity, I kept thinking about the number of people in organizations that could be on the network as sort of the first order, and if that number were larger rather than smaller, then the priority and preemption is the factor that the local

organizations would determine by incident on who could be on there, because it's not as if the network is going to be congested, right?

STUART KUPINSKY: Right. So there's – just as we talked about the sort of two-dimensional, and it's really a three-dimensional graph, in the CTO presentation earlier today, this also lends itself to sort of a three-dimensional view. So you can see situations where priority and preemption would allow you to only turn up attachment, if you will. That's a telecom term, as you know, for gaining access to the network to begin with.

SUSAN SWENSON: Right.

STUART KUPINSKY: For certain entities, only at certain times, at the election of local incident commanders, for example. That's one dimension.

SUE SWENSON: Yes.

STUART KUPINSKY: Another dimension would be you could have entities that are on the network all the time but at a very low priority. So they could attach at any point in time, but they have a very low priority relative to, let's say, traditional first responders. So that's another dimension.

Then you could have entities with a very high priority that are actually demoted, if you will, depending on the nature of the incident, to allow other entities on the network where help is needed. So it's a multidimensional equation. I appreciate the question. And so it raises the need for our deep consultation with the local entities to figure out these types of schemes.

JEFF JOHNSON: Further questions?

KEVIN MCGINNIS: More an observation from the EMS discipline. Your note on private ambulance services there as being one raises an issue that's sort of fundamentally important to those of us who went through the development of FirstNet. One of the things that happened in the Communications Act was in essence it made probably a third to a half of the EMS providers in the country operate illegally on their own frequencies for the last 40 years. But we did it, we found ways to do it, got ways around it, but most hospitals weren't allowed on. Non-governmental ambulance services were not allowed on. And so – and a tremendous amount of 911 response provided by hospital-based services, independent volunteer services, commercially private ambulance services, and that's a big problem. And so when we went through the development of the legislative language, we made sure that the Homeland Security Act reference was in there because it says emergency medical services and emergency departments and hospitals, essentially. It does not classify governmental and non-governmental. So you've got a whole discipline out here that's reading it one way, and so we've got to be careful about that.

STUART KUPINSKY: I'll say this. So you're on my board, so I'm going to pay particular attention to your version of the legislative history. That being said, I have been informed of numerous versions of why each provision was provided. And obviously our job is to try and come up with the appropriate interpretation of the words that Congress provided in the context of the full Act. These are very difficult issues because of the complexity that I talked about in the definition and just the generalities in terms of the words used in the definition. And so I take your comments to heart, and we've looked at exactly the aspect you're talking about. We take that into consideration.

STUARY KUPINSKY: Any other (pause)?

JEFF JOHNSON: Stuart, I just want to thank you and the team for reaching out and listening on this. It's so critical, I think, for those of us that have spent half our careers as a chief. I don't care if it's police chief, EMS chief or fire chief, there have been numerous calls where we've used transportation as a critical component of mitigating the emergency. You know, the same is true with utilities. And the same is true with a whole bunch of other aspects, public works, etc., etc., etc. Even the bus companies I have offloaded entire apartment complexes during fires on a cold night as a place of refuge. They become part of the public safety mission. So I think the smartest thing we can do right now is to do extensive listening and help us find that definition that resonates and makes it accessible to the incident commander because as you know, we are building public safety's network, and we want it to operate for public safety. So I want to thank you and your team for spotting the issue and to peeling an ear toward it.

STUART KUPINSKY: So we'll move on to just a far easier topic. Eli?

ELI VEENENDAAL: So one of the topics that garnered a lot of interest in the notice was the definition of rural. So before I dive into what the actual proposed definition was and what the responses were, I want to give a little context around why we needed to define rural and what the intent was in defining it. And so the term rural is used in multiple provisions throughout the Act. One of those key provisions requires FirstNet to include substantial rural coverage milestones as part of each phase of the deployment of the network. So with that in mind, we believed it was necessary to define rural in order to establish a base for what to draw and build the substantial rural milestones – what these substantial rural milestones should be. And that was the primary intent and that would allow us to start the discussion that we'd have moving forward with the states as defining what coverage and rural would be.

And I'll stop there and emphasize a couple points. The intent of defining rural wasn't to equate to whether or not you would receive rural coverage. Put another way, if you were within the definition of rural, it didn't determine yes, you would get coverage and if you were out you would not. Right? That was not the intent. The intent, again, was just to set the baseline for the substantial rural coverage milestones.

The second thing it is important to emphasize is that coverage generally under the Act requires us to consult with states and other stakeholders in determining how coverage will be prioritized as we move forward with the network. And so moving into the discussion of rural, I think there were some misunderstandings of what the intent was in our proposing the definition we did in the Act.

So moving to the definition, we proposed to adopt the definition of rural that was found in the Rural Electrification Act. And the reason we looked to this definition after evaluating other definitions was it had been relied upon to execute billions of billions of dollars in building out broadband and utilities infrastructure throughout rural areas. And so we believed it would be commonly known and understood by our different stakeholders generally. The feedback showed that although some of that was true, that maybe the majority of stakeholders didn't agree. Some of the stakeholders, for instance, that were more neutral on whether we should use the proposed definition or not, recommended that we look for a different definition that was already statutorily available. For instance, New Mexico put forth and supported the definition of looking what Census uses and using that as the baseline to establish these milestones. But I think the biggest takeaway came from the comments and feedback we got from stakeholders, and specifically states, and their desire to be involved in establishing how rural would be

deployed in their state and how we would move forward and accomplish these substantial rural milestones.

Based on the comments I think we've really heard that and we're revisiting this issue generally just to try to make sure we're understanding correctly, and moving forward we're looking forward to having dialogue with the states and other stakeholders on how to really refine the proposed definition and find the right path forward for FirstNet.

So with that I'll open it to any questions on that definition.

JEFF JOHNSON: Any questions by the committee? Stuart.

STUART KUPINSKY: I'll make one quick comment that – so as Eli mentioned, there's always been, from day one, the consultative obligation to discuss with the states the establishment of coverage of the substantial rural milestones of how this is going to play out. So what we heard from the comments was, in effect, don't forget, regardless of what you define as "rural," you know, it is through this consultative effort that you should be determining how the network is going to roll out to those rural areas. And so that's what we heard back in a lot of instances, rather than sort of a specific critique to the Rural Electrification Act versus other definitional schemas if you will. But we're looking at both. And we're obviously mindful of the consultative aspect of it.

JEFF JOHNSON: Further questions or comments? Yes.

TJ KENNEDY: One follow-up point I think is important, as the team looked at the many different definitions just used in federal government today, as an example, and used in industry today, and I think this also showed an important part of why we're doing public notice and comment. There are many definitions and there's often people from different views and different states and different locations who are going to look at those quite differently. So I think this has helped generate a good conversation for us in helping us get more clarity between us and the states and kind of helping guide those consultation conversations now with a definition and now that we move forward and we adjust that we can have more specific conversations. So I think it's important that we have done this, and I think it's important that we continue to do this going forward to be able to help make sure we're all planning for the same kind of expectations, because setting the expectations is going to be an important part to make sure FirstNet is successful.

JEFF JOHNSON: I appreciate you clarifying it, Stuart, about – you know – face a lot of questions about so were you asking the question about rural to determine if we get coverage or not. Not – to your point, right – this is not why we asked the question. So I really appreciate you taking time today to clarify that.

STUART KUPINSKY: And we haven't arrived at a result, right. As we talked about at the onset, this is not our declaration of a final determination as to the Rural Electrification Act being the final definition, etc. We're still looking at it, and we'll be back to the board and obviously our consultations on these matters.

JEFF JOHNSON: Good. Thank you. At this time I'd like to ask our Senior Program Manager Michael Landry to give the committee report on the preliminary findings on the comprehensive RFI. Michael?

MICHAEL LANDRY: Thank you, Mr. Chairman. As you said, take a few minutes to explain the recent findings from the RFI released this past September.

Before I get started, I just want to thank some of the partners we had going through this, managing the responses, releasing the responses, going through the FedBizOps posting and collection of the responses at DISA. Great teamwork. Accomplished a lot.

Aside from the Public Notice and Response, the RFI responses are confidential. They're industry proprietary. We don't release the information. So going through this process you won't see anything industry – you'll see responses from industry, states, trade associations, labs, but nothing specific to any type of company. In order for them to give us the best information, they need to be assured that they are confidential, and they are.

So one of the things we learned was users – well, we looked at the responses to the pricing plans, for example. Clear theme emerged that coverage must be good or better than commercial services today. Pricing packages must be similar to what is commercially available. And those expressing the need for greater coverage and premium services did in a way express minor willingness to pay more for these premium services.

From the responses there was no quantification or real prioritization of how users would choose between pricing, between features, between coverage. Lower prices, higher cost, premium services all place stress on the sustainability of the system. So looking at this it's going to be a tricky, delicate balance to ensure that what we're trying to provide is needed to maximize user adoption, and it does not necessarily increase costs and jeopardize our ability to provide a sustainable network.

JEFF JOHNSON: So Michael, I hate to be the guy that's the slowest one here, but I will. Significance of the green and the red and the up and the down orientation and summarize for us what this slide tells us about our customer.

MICHAEL LANDRY: If we increase prices – looking at the first row up there – if we increase prices, or excuse me, if we keep prices low, then the chances or the inability to sustain the system goes down. If we increase premium services, then, again, sustainability – we become less capable to have a sustainable system. And it all goes back to the adoption and sustainability thing. In a nutshell, if you increase the cost to a user, that's going to drive down adoption of the system. If we drive down adoption of the system, then we don't have the funds to enable the sustainability of the system. Very delicate – very delicate balancing act.

JEFF JOHNSON: That's helpful. Thank you.

STUART KUPINSKY: Just to – so I think one way that's helpful to me, at least, in looking at these diagrams is to think of it as just a relativistic assessment across the entire chart, right? So relative to higher prices, lower prices are less contributory towards the sustaining of the network. It doesn't mean that we don't want low prices ultimately. Obviously our goal is to get the lowest prices possible for public safety. But it's a relativistic assessment across the chart. I just wanted to be clear there.

JEFF JOHNSON: Thank you.

MICHAEL LANDRY: So respondents that commented to the RFI commented that this one particular objective suggested a strong need for strong customer care and marketing. Some suggested that leveraging existing vendor sales forces and including state and local personnel to impose sales efforts

would assist in the adoption of the system. And there's also strong emphasis on continued inclusion of the first responder community throughout the operation of FirstNet.

TERI TAKAI: Michael, could I just ask one question?—

MICHAEL LANDRY: Yes, ma'am.

TERI TAKAI: Before we get — and I should have asked it on the premium pricing. Is premium pricing considered to be more than what they are paying today? Is that kind of the criteria for what constitutes premium pricing? Because we all tend to, I think, focus from what we're paying today for a service versus what else. Did you get any sense of that as to what they considered premium?

MICHAEL LANDRY: Again it goes back to one of the previous slides. There was coverage. There's premium services. Some respondents did say — we did get the sense that some respondents would pay more for these premium services, but nothing very strong across all the responses, in terms of —

TERRI TAKAI: But again, was premium based from — did you get any sense that it was based from here's what I'm paying today, I guess. I'm trying to understand what their perspective was in saying what's premium.

TJ KENNEDY: I think in the general sense of the responses, what the team saw was that the premium higher-level services, they weren't necessarily wanting to pay more for. Not that they wouldn't. There were only a few that kind of identified clearly that they understood there were higher level things. It was less about premium pricing than it was about can we get some of the premium services, priority preemption, public safety apps store, higher security, for the same price was kind of the ideal in some of the responses that came in.

TERI TAKAI: Okay. So there wasn't really a sense of I'm paying this today, I want to make sure that I'm paying — outside of the premium services, just looking at pricing. We didn't get a sense of what was considered to be acceptable pricing versus not?

TJ KENNEDY: The general answer was similar to what they're paying commercially today was their goal.

MICHAEL LANDRY: So many of the respondents commented on various means of improving speed to market, with the most common suggestion being reuse of existing public and private assets. Others commented on the need to balance rural, tribal, and urban coverage and to dictate the associated deployment milestones accordingly. This is consistent with the aspects outlined in the Act, and something we'll ensure is addressed through the acquisition strategy.

One respondent even suggested a separate industry outreach effort to reach consensus on IOC and FOC, Initial Operational Capability and Full Operational Capability.

JEFF JOHNSON: Michael, going back to that last slide if you would. Back one. So, again, and maybe we're back another one. Sorry. One more. This is not to imply this is how we're going to make a business decision about how we price our product, right? This is saying when we listen to our customers; this is the feedback that we get, right? Because we've always known that an important part of this network deployment was going to be based on the partnership that we strike, and the revenue generated from

secondary use of the spectrum, etc. right? This is a snapshot of a point in time in the eyes of our potential customers and not a reflection on our business model choices, correct?

MICHAEL LANDRY: This is a snapshot in time in the way that the respondents view FirstNet and what choices need to be made moving forward.

JEFF JOHNSON: Yeah.

TJ KENNEDY: So I think, Mr. Chairman, one of the elements I read when we were reviewing these is these are respondents' ideas and goals and elements they put forward. There was not pricing information in the RFI, so you're not comparing to actual data. And so a lot of this is a question of what would people like, and so it's a lot of reporting back on just some of the answers. And there were thoughtful answers on both sides of the equation, so it's not necessarily this is FirstNet's position and that we won't do this or we're only going to do that. I think that's an important distinction.

JEFF JOHNSON: That's where I wanted to get. Thank you very much. Michael, thank you. You can catch back up.

MICHAEL LANDRY: Thank you, sir.

Priority and preemption. Went through the definition earlier today, but, again, it's the idea that a public safety first responder has access to the network when they need it. In the – to take into – not to disadvantage, but to ensure that they have priority of the system over a non-first responder in any situation. Nearly all the respondents agreed that there is some need for a priority and preemption functionality. Many stressed the need for well thought out governance structures. And, again, this gets back to a lot of the states that did respond said we already have existing structures in place, we want you to take advantage of that. In particular, one response noted a recent study that said when incidences or when a crisis occurs, if priorities within that crisis change, that can be a problem for the priority and preemption scenario. This is part of the information from the RFI. We're taking a look at this and we're saying this important, this is something we need to dig deeper into.

So real quick – we got into this earlier. There are more inputs to the RFP than just the RFI responses. There is the public notice and comment and there are the outreach efforts. So with that, I'll turn it over to Rich.

RICH REED: Good afternoon. I'm going to take a different tack at briefing this slide. I know most of you heard the previous brief in the Technical Committee. I'm going to look at this because we're in a consultative discussion how the consultative environment really is going to be informed by the RFP process specifically. So we've talked about the legal interpretations and the notice and public comment through Eli's presentation. We've looked at what the RFI informs the acquisition process through what Michael just told us.

Let me give just a couple anecdotal things that I've learned through the consultation process that I've attended, the initial consultation meetings. Dave talked through several of the use cases and specifically the value we get from hearing from the stakeholder community about how they use mobile data today and most importantly how it fails them at time of crisis. One of the things that I found really impactful to the information we've learned during initial consultation is the idea that even when the public safety community call and interact with commercial wireless companies, and they bring in COWs and COLTs

and they bring in additional services at time of disaster. That service gets quickly overrun. And it wasn't evident to me early on, but the dialog that we've had time and time again that even in a long-term scenario where you're bringing in additional services; the public just sees service appear on their phone again. It is not prioritized for public safety, it's not their own spectrum, so even when you bring additional services in, it's quickly overrun by the camera crews that are supporting the event, the public who have been turned off commercial services because they didn't have access because the sites were down. So very quickly the COWs and COLTs that are brought in to respond to that incident quickly are overcome by just general use as well. So we hear overwhelming need for mobile data services to be prioritized for public safety.

Second, another example in Oregon. There's groups that are really using mobile data in a robust way. They're leveraging common operating pictures and they're using it for a lot of really unique functions to serve their jobs. The problem is when bad things happen, the service is not available. So really delivering the service is overwhelmingly needed, and we hear a great amount of feedback during consultation.

So the input that we're trying to get through this acquisition process, and specifically through consultation, is how we should engineer a service and ask the right questions to deliver the comprehensive services that public safety will adopt and buy. The things that we have to consult with the states and federal agencies and all the stakeholders on, on coverage and core development, RAN development, priority, preemption, security, resiliency, training, all of those things are important, but we also want to get the information on how public safety leverage mobile data. How they buy mobile data services. What they value, what the contract periodicity is, the equipment they care about. All of those elements need to be included in that draft RFP for comment. That's how our potential partners will know what we need to provide public safety to achieve the adoptability we're going for.

So I wanted to step back for a moment, because we know we have all these elements that we have to engage in from a consultative standpoint that's mandatory in the Act, but there's a host of other things we're learning through consultation that matter to us to make sure that we get the right services through a partnership.

On the far right side of the slide, what's missing is how the outputs of that RFP process feed the state plan. Much of the information that the states concern themselves with, and all of our stakeholders concern themselves with, are where are you going to have coverage, how much is it going to cost me, how do I buy, what are the plans you're offering, what are the services. And we're not going to have that data to have that dialogue with states until we get through this acquisition strategy and really get through the cost basis and coverage basis we get through a Request for Proposal. So we're going to have a robust dialogue in consultation about the elements that are needed to feed that draft RFP, so that we ask the right questions and we get the information we need to properly document a state plan further down the line. Beyond that, consultation is going to continue. We know the network is going to grow. We know that the network is going to expand. We're going to need to add capacity. And we're going to have to continue consulting with the states to make sure we do that in a thoughtful and fiscally responsible way.

JEFF JOHNSON: Rich, you cannot say that enough, and you cannot say that in enough different ways. We will not know what the price of our product is until we pick a network partner and we're on the other side of the RFP. What we do know, is we know we have to make a valuable offering to the people that are going to use services from the network, so we have to design and consider that as we lay it out in the RFP process. So I'm really glad that, you know, you keep going back to that core point which is some

of these answers we won't have for a while. But the fundamentals of what has to happen to pour into the RFP, we are gaining an understanding through some of these processes. So I'll open the floor to any questions or comments.

RICH REED: Well, you've said it all along that the value proposition has to be there. And what we hear on a daily basis in consultation that, you know, understanding where the coverage is going to be, having the same or better coverage, having a cost basis and a value proposition that allows us to be competitive is critical.

JEFF JOHNSON: So, (inaudible, mike off)

Probably just turned it off. Rich, you've done an amazing amount of work since our last board meeting. Making tremendous progress, doing a lot of listening through the formalized structures. And for me it really helps paint a picture of what we're looking for and what are the most important elements of this network. So I'd like to thank you for that.

That wraps up our structured agenda for today, so at this time the chair would entertain a motion to adjourn.

TERI TAKAI: So moved.

JEFF JOHNSON: Motion. Do we have a second?

JAMES DOUGLAS: Second.

JEFF JOHNSON: And a second. All in favor of the motion signify by saying aye.

ALL: Aye.

JEFF JOHNSON: Motion carriers. Thank you all for attending the Outreach Committee and we look forward to seeing you at the next committee meeting.

UZOMA ONYEIJE: We're going to take a few minutes and then we'll get started with the Finance Committee meeting.