



FirstNet™



Notice and Comment Response Summary

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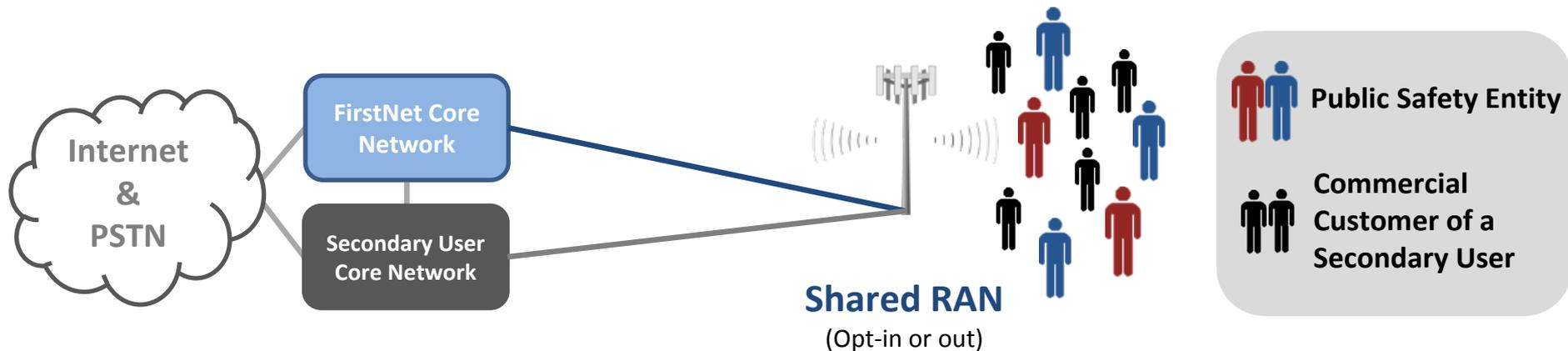
December 9, 2014

Topic: Public Safety Entity Overview



- FirstNet’s primary mission is bringing dedicated, interoperable broadband communications to traditional first responders (police, fire, and EMS)
 - The Act defines Public Safety Entity and requires that equipment used on the network be “capable of being used by any public safety entity” (emphasis added)
 - Traditional first responders are at the heart of the public safety entity definition, but the Act does not limit such entities to traditional first responders, and the interpretive question is how much beyond traditional first responders the Act goes
- The Act requires FirstNet to establish network policies, such as operational requirements, and to consult at the regional, State, tribal, and local level on, among other things, the “selection of entities seeking access to or use of the network” in carrying out such policies
- **FirstNet agrees with commenters that the network will be rolled out in a manner that ensures the prioritization of traditional first responders over any added public safety entities, and commercial customers of secondary users**

Topic: Public Safety Entity Overview

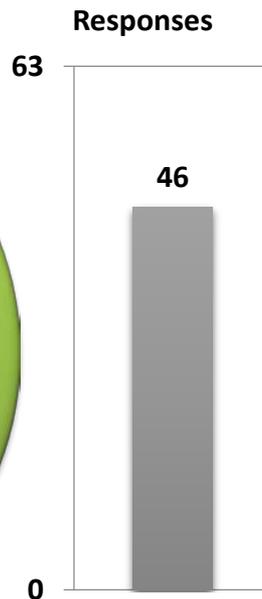
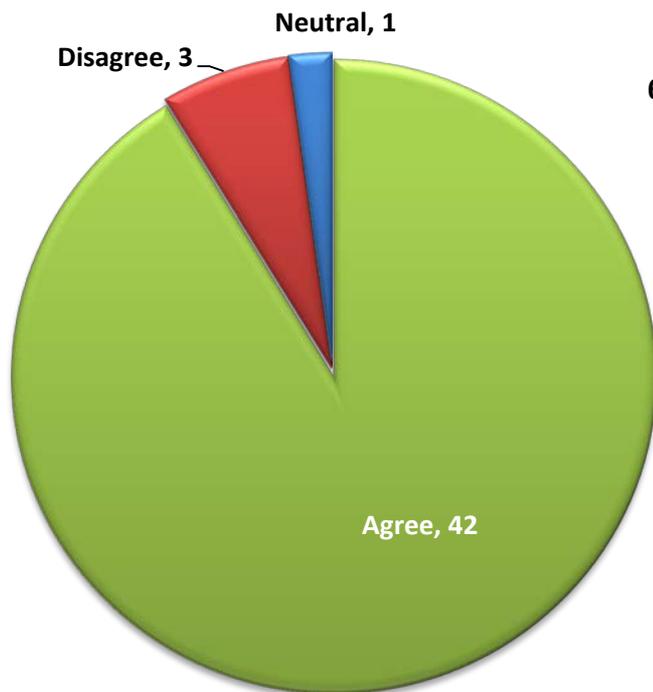


- Public Safety Entity = served by FirstNet Core Network
 - Consumer/Commercial Customer = served by Secondary User Core Network
 - Optimum Interoperability & Local Prioritization Control = served by FirstNet Core Network
- FirstNet can provide first responders with the greatest control over priority (high & low) for those entities on FirstNet's Core Network

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

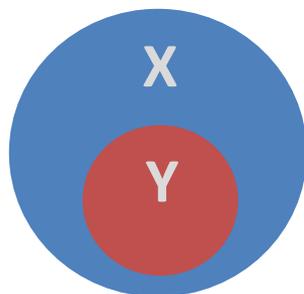
Topic: Public Safety Entity



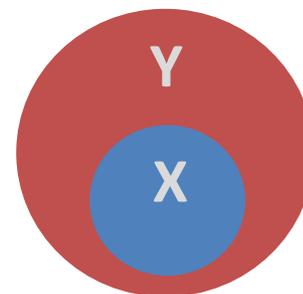
Public Safety Entity = entity that provides “public safety services”

Public Safety Services:

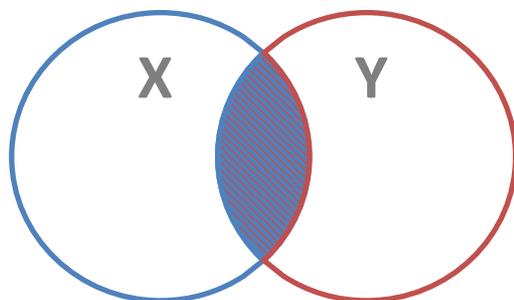
- (A) has the meaning given the term in X; and
- (B) includes services provided by Y



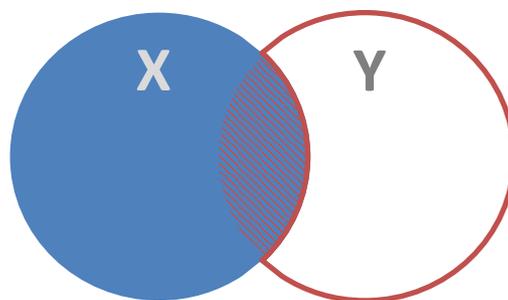
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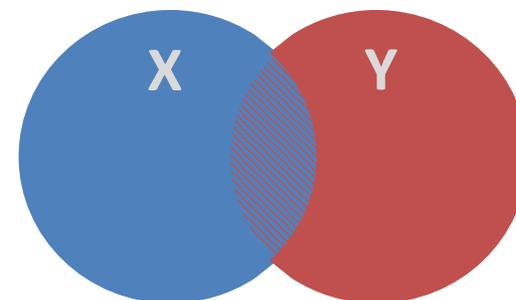
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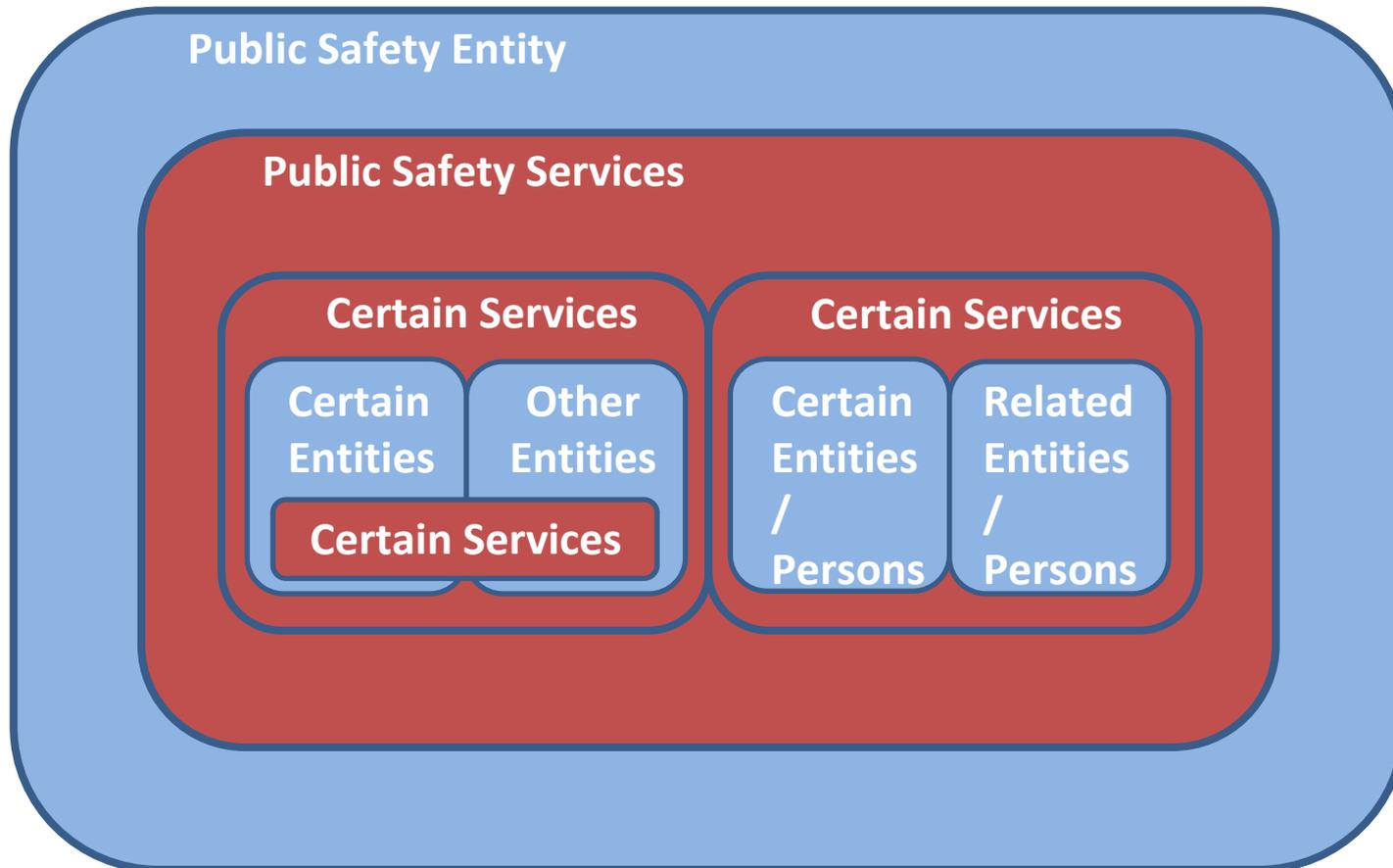


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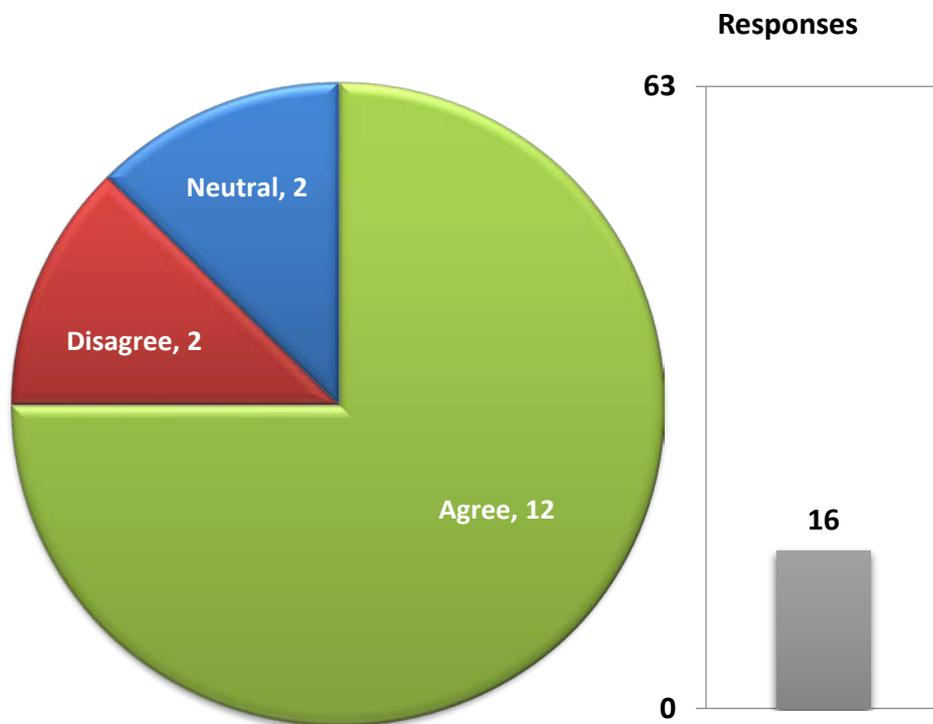
Topic: Public Safety Entity – Definitional Layers



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: Non-Governmental Entities

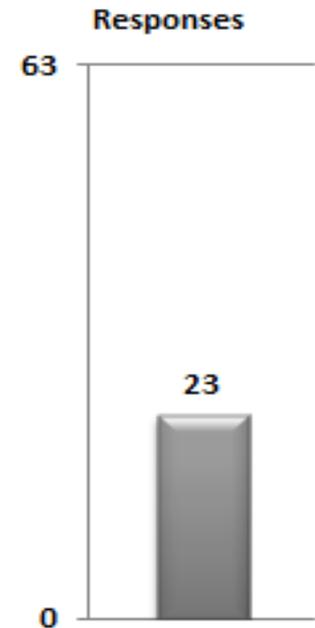


The Notice requested comments on what types of non-governmental entities or organizations should qualify as a public safety entity

Comment Summary

Responders supporting the proposed definition suggested consideration of the of the following entities and services:

- Private ambulance service
- Electric cooperatives and other utilities
- Energy industry companies (e.g. oil and gas)
- The commercial airline industry (e.g., flight attendants employed by commercial airlines with significant public safety responsibilities)
- Non-governmental and private, and non-profit and for-profit organization (e.g., American Red Cross, educational institutions, healthcare facilities, independent firefighting corporations)
- Public transits
- Transportation Departments
- Parks and recreation Departments



Topic: Designation of Public Safety Entity

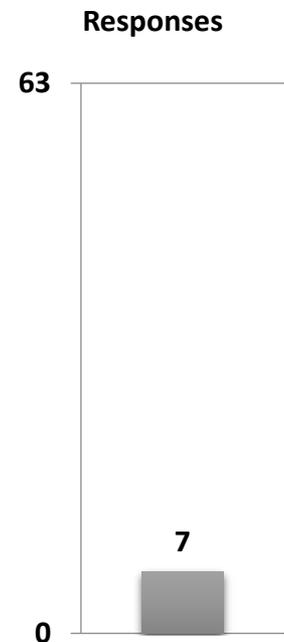


The Notice requested comments on which government entities may authorize non-governmental organizations to provide public safety services based on the "primary mission" limitation

Comment Summary

Responders supporting the proposed definition suggested consideration of the following entities and services:

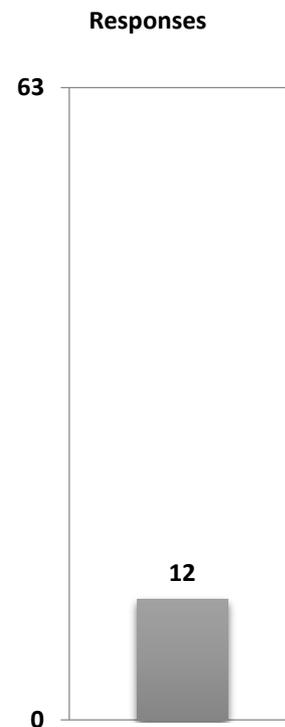
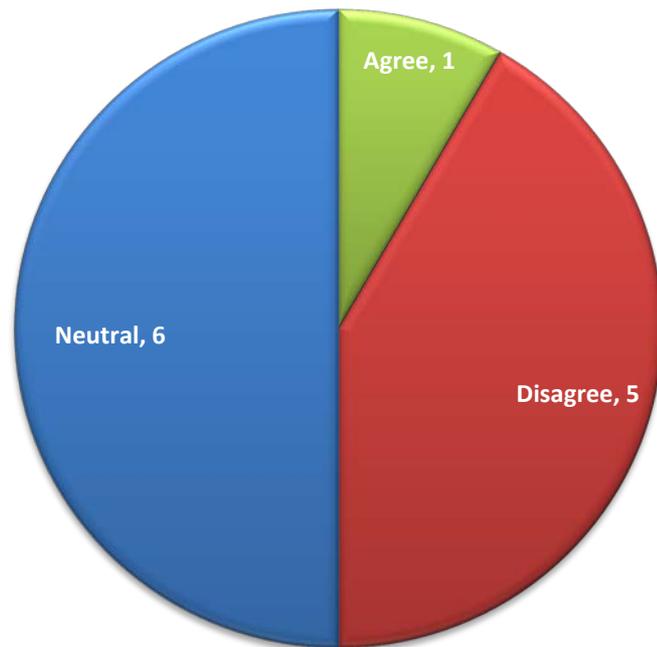
- Police Departments
- Fire Departments
- Health Departments
- Emergency Medical Services
- Emergency Managers
- State Utility Commissions



Topic: Opt-out States as Network Users



The Notice Interpretation: Opt-out States could constitute either a public safety entity or fall within another unspecified user category

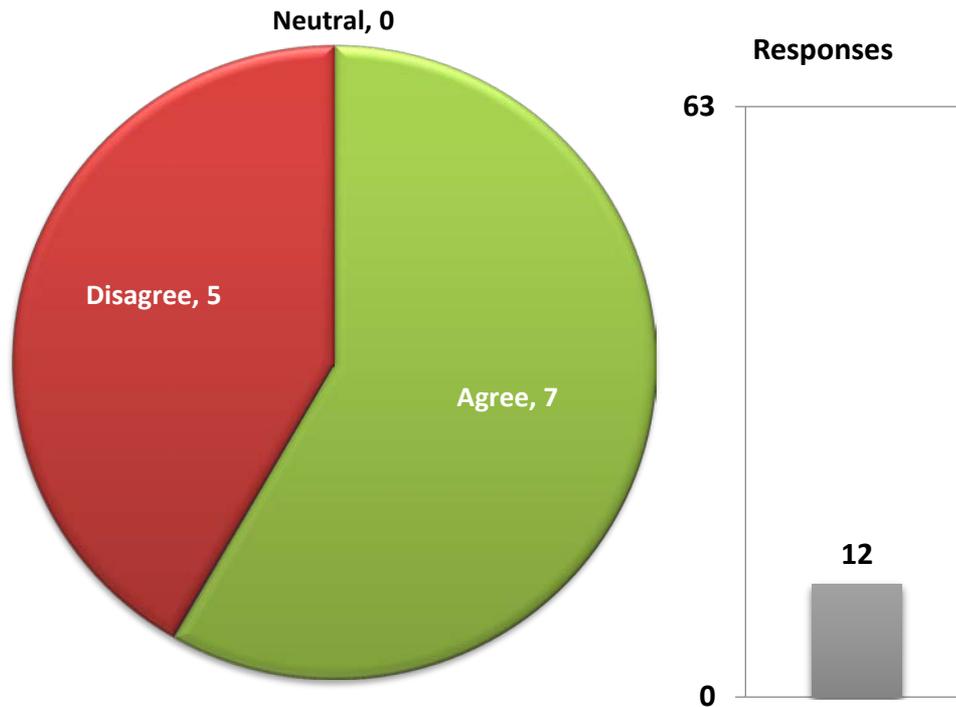


- Agree: responder provided a general agreement and not a detailed response
- Disagree: majority of comments disagreed with the proposed interpretation and indicated that an opt-out state should qualify as either a public safety entity or secondary user
- Neutral: generally indicated that more details on the implications of this classification were needed and could potential influence a State's decision process

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: Definition of “Rural” Overview



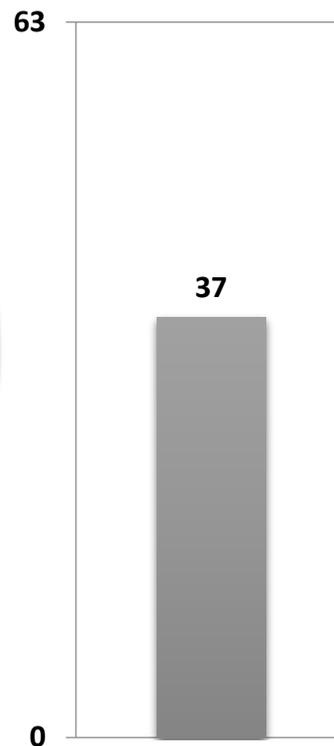
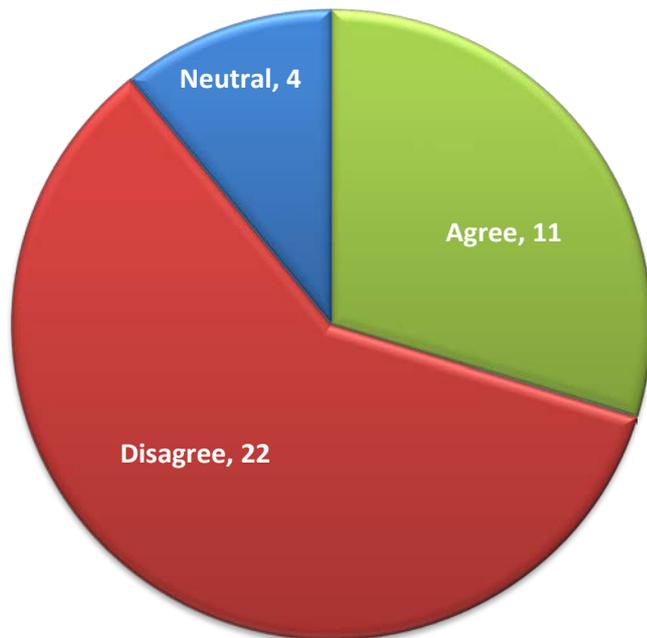
- The Act requires “substantial rural coverage milestones as part of each phase of the construction and deployment of the network” and for FirstNet “to utilize cost-effective opportunities to speed deployment in rural areas”
- FirstNet must develop RFPs with “appropriate . . . coverage areas, including 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

Responses



- 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



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Thank You