

ALERT

FirstNet Releases Two Key Requests for Comment

September 18, 2014

On September 17, 2014, the First Responder Network Authority (FirstNet) Board released two key documents requesting input on its on-going efforts to deploy a nationwide public safety broadband network. The first, a request for information (RFI), seeks comment on a range of financial, technical, and outreach issues involved in deploying the network. The second, a Public Notice, invites comment on FirstNet's preliminary interpretations under its governing statute, the Middle Class Tax Relief and Job Creation Act of 2012. FirstNet, an independent entity within the U.S. Department of Commerce, National Telecommunications and Information Administration (NTIA), is charged with taking all actions necessary to build, deploy, and operate a high-speed, nationwide network dedicated to public safety.

The RFI seeks public comment on the Board's proposed comprehensive network solution for FirstNet's deployment, focusing on technical, financial, and outreach issues.

Technical areas for comment include:

- Building, deploying, operating, and maintaining the FirstNet network;
- Accelerating the network's rollout;
- System hardening;
- Integrating opt-out states' radio access network (RAN);
- System reliability and restoration; and
- Lifecycle innovation.

Practice Areas

Telecom, Media & Technology

Financial issues highlighted in the RFI include:

- Ensuring the financial sustainability of the network;
- Compelling and competitive pricing packages;
- Accelerating subscribership;
- Integrating RANs and infrastructure on a cost-reimbursement basis; and
- Managing customer care, billing, and marketing.

Finally, the RFI seeks comment on outreach topics such as:

- Setting substantial rural milestones;
- Priority and preemption;
- Integrating existing infrastructure; and
- Provisioning.

Appendix B of the RFI includes FirstNet's current Statement of Objectives from its draft Request for Proposal. The Statement of Objectives lists 15 program objectives and highlights the scope of work that FirstNet envisions for creating a national interoperable broadband network covering urban, suburban, rural, and wilderness service territories.

The Public Notice sets forth FirstNet's preliminary legal interpretations of its governing statute, the Middle Class Tax Relief and Job Creation Act of 2012. In particular, FirstNet proposes to define the outer bounds of its statutory authority to build, deploy, and operate the nationwide public safety broadband network. To this end, the Public Notice seeks comment on FirstNet's interpretations over issues such as:

- Defining network elements, including the delineation between the "core network" and the "RAN;"
- Permitted FirstNet network users, including three potential categories of users, namely "public safety entities," "secondary users," and "other network users;"
- Permitted services;
- Standards to facilitate an "open, transparent, competitive" requests for proposal process;
- Rural coverage, including defining the term "rural" and delineating rural coverage milestones;
- Existing infrastructure sharing; and
- Fees, including covered leasing fees that may be collected.

Comments to the RFI are due October 17. Comments to the Public Notice will be due 30 days after publication in the Federal Register. To encourage broad industry participation, comments filed in response to FirstNet's request for information will be confidential. Comments filed in response to the Public Notice, however, will be public.

Once FirstNet receives and analyzes responses to the RFI and Public Notice, it will develop and issue a draft RFP.