



FirstNet™

www.firstnet.gov

FirstNet Webinar: RFI & Public Notice Review for SPOCs and PSAC Members



Amanda Hilliard
Outreach Director
September 2014

Eli Veenendaal
Attorney-Advisor
September 2014

Overview of RFI and SOO



FirstNet released a Request for Information (RFI) with a draft Statement of Objectives (SOO)

- Date of Release: September 17, 2014
- Location: FedBizOpps at www.fbo.gov
- Who Can Comment: Any individual or organization
- Comments Deadline: October 17, 2014

Note: Responses are procurement-sensitive and will be kept confidential

What is the purpose of the RFI?



- Provide interested parties with greater visibility into FirstNet's proposed direction for network deployment
- Helps FirstNet gather information to:
 - Better understand industry's capabilities
 - Shape the comprehensive network solution acquisition strategy
 - Establish the direction for industry day
 - Inform the Statement of Objectives (SOO) and Requests for Proposals (RFP)
 - Surface questions and answers that FirstNet has not asked or considered

What is the purpose of the SOO?



■ The Statement of Objectives (SOO)

- Outlines a performance-based acquisition approach
- Presents a set of objectives in order to encourage innovative solutions to meet public safety needs
- Counts on marketplace collaboration to ensure best outcomes for states, territories and tribal lands

■ FirstNet *Does Not*:

- Dictate a specific technical or network solution – other than a few essential parameters
- Specify required partnerships, alliances, or joint ventures within the vendor community

Overview of Key Objectives



- Minimize public safety user fees
- Deliver advanced, resilient wireless services
- Minimize the amount of capital and operating expenses incurred by FirstNet
- Leverage synergies with existing networks and other infrastructure where economically desirable to FirstNet
- Maximize the value of the excess network capacity to keep costs low for public safety

Overview of Key Information in RFI

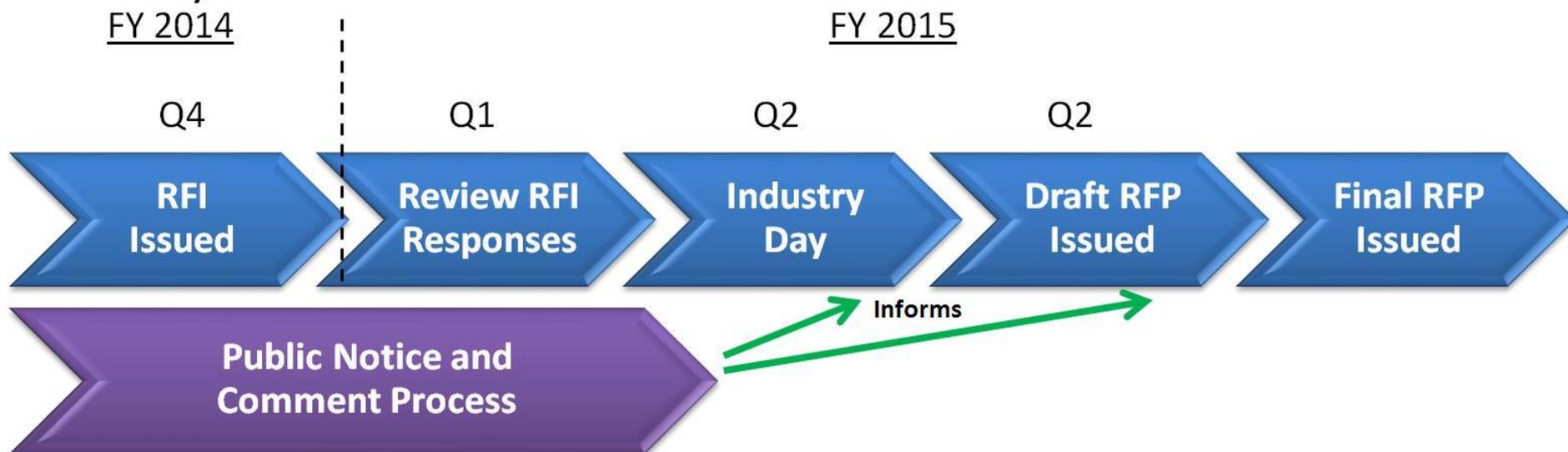


- The RFI asks respondents questions concerning:
 - Building, deploying, operating, and maintaining the nationwide public safety broadband network
 - End user pricing and financial sustainability
 - Speed to market
 - System hardening, reliability, and restoration
 - Priority and preemption
 - Opt-out Radio Access Network integration
 - Use of existing infrastructure assets owned and operated by governmental jurisdictions
 - Lifecycle innovation
 - Customer care and marketing

The RFI in the Acquisition Lifecycle

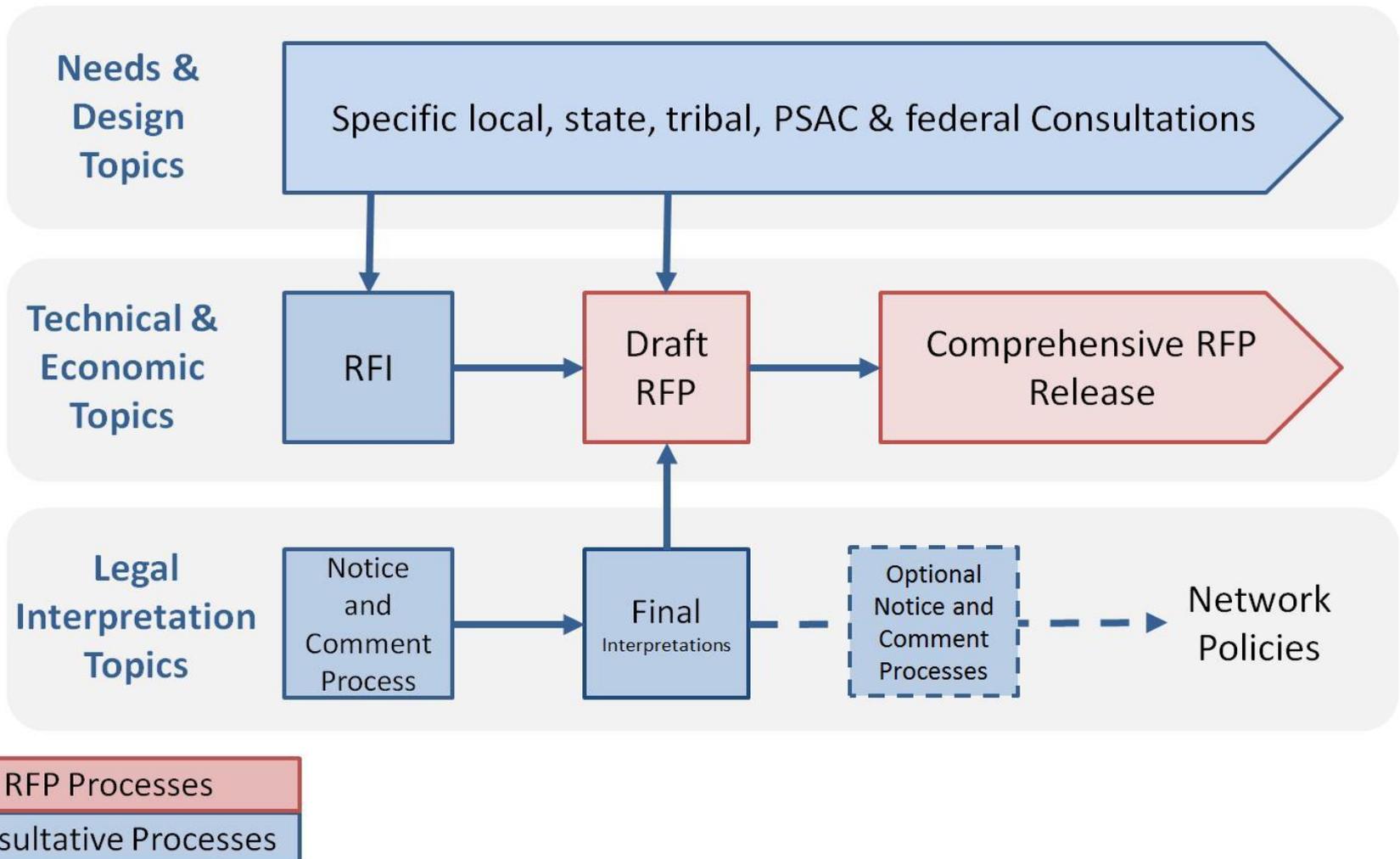


- The RFI is a key element of market research in the acquisition lifecycle



- The RFI signals to public safety entities, states, and industry our interest to obtain critical information in preparation for a solicitation

How the Pieces Fit Together



State Opt-In/Opt-Out Decision



- The acquisition timeline and process feed into the opt-in/opt-out decision that each governor must make
- The Comprehensive RFP and state consultation inform the state plans developed between the state and FirstNet
- The governor will review the final state plan, which will incorporate information and comments FirstNet receives through the RFI, public notice, and the draft RFP processes
- The state plan will also include information on user fees and coverage
- Opt-in/opt-out is the key decision that all states have to make in this process

Public Notice and Comment



Overview of Public Notice Process



FirstNet published a public notice outlining some of its legal interpretations of the Act

- Date of Release: September 24, 2014
- Location: Federal Register at www.regulations.gov
- Who Can Comment: Any individual or organization
- Comments Deadline: October 24, 2014



Why Do Notice and Comment?

- Notice is an opportunity to receive input on unclear provisions of the law
- Comments will provide critical inputs into the draft RFP and will shape the economic and technical aspects of the procurement
- Allows a broad audience, including public safety entities, to provide feedback in the *Federal Register* notice process



This is Just a First Step

- The Notice proposes FirstNet's overall legal authority (outer boundary), but it does not mean that FirstNet will use all of its authority
- Notice contains preliminary interpretations
- FirstNet needs to maintain flexibility at this stage of program and refine our approach as we progress
- FirstNet will develop more detailed policies that will refine how we will operate within outer boundary



As an example: The Act may give FirstNet authority to serve a broad group of customers, but FirstNet may develop a policy to narrow the types of customers served to preserve network capacity for public safety

Initial Topics Overview

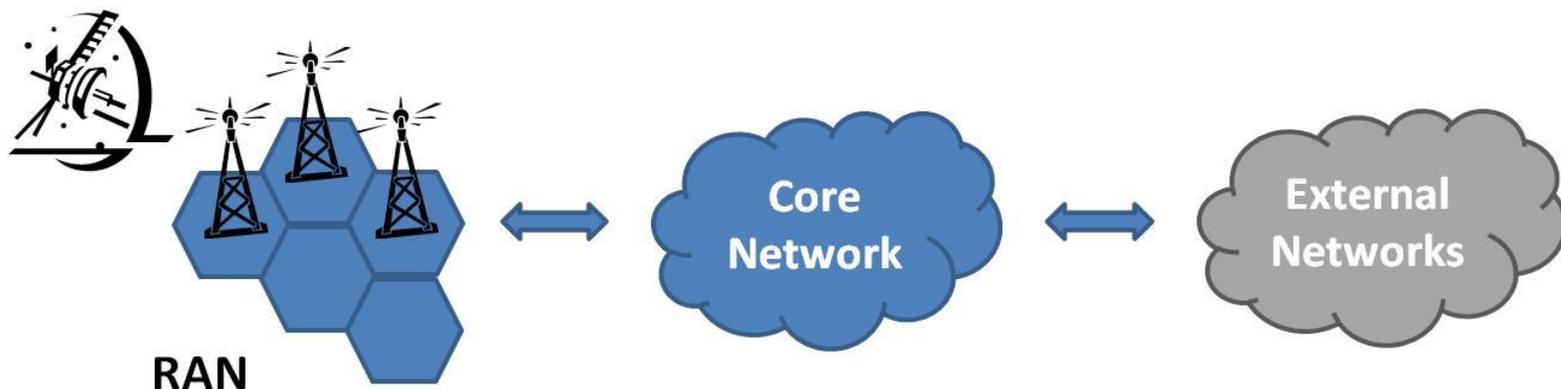


- This Notice covers the following topics:
 - Network elements, including “Core” and “RAN”
 - Network users, including “public safety entities,” “secondary users” and other network users
 - Permitted services
 - RFP standards for “open, transparent, competitive” process
 - Definition of “rural” and substantial rural coverage milestones
 - Existing infrastructure sharing
 - Fees, including covered leasing fees
- The major issues related to state opt-in/opt-out process are not included in this Notice, but the issues may be addressed in a future notice and comment process
- Only a few of these topics will be discussed in this detail in this presentation, and we recommend that you review the full public notice or board presentation for additional information

FirstNet Network Architecture



- FirstNet’s mission is to “ensure the establishment of a nationwide interoperable public safety network . . . based on a single, nationwide architecture . . .”
- The Act defines the architecture as initially consisting of:
 - Core Network
 - Radio Access Network (RAN)



- The Act: National and regional data centers; provides connectivity between radio access network and the public Internet and/or public switched network

- The Notice: Elements of the core, consistent with the Interoperability Board Report, include:
 - The standard Evolved Packet Core elements under the 3rd Generation Partnership Project (“3GPP”) standards, device services, location services, billing functions, and
 - All other network elements and functions other than the RAN

Radio Access Network (RAN)



- The Act: Consists of all cell site equipment, antennas, and backhaul required to enable wireless communications with devices using public safety broadband spectrum
- The Notice: Standard E-UTRAN elements, consistent with the Interoperability Board Report

- The Act:
 - States may apply to conduct their own deployment of a radio access network
 - Opt-out States pay any user fees associated with use of the Core network

- The Notice:
 - Opt-out State RANs must use FirstNet Core

- The Act:
 - No comprehensive list of users
 - Public safety users are primary
 - Fees charged to “each entity, *including* any public safety entity or secondary user, that seeks access to or use of” the network
 - Lessees for covered leasing agreements and infrastructure use

- The Notice: There are 3 baskets of users
 - **Public Safety Entities:** an entity that provides public safety services as defined in the Act (primary users)
 - **Secondary Users:** users with access to or use of the network on a secondary basis who do not provide public safety services
 - **Other Users:** potential third group of users that may be able to utilize the network (including opt-out States)

■ The Act:

- “Public safety entity” is an entity that provides “public safety services”
- “Public safety services” are defined by
 - Section 337(f) of the Communications Act of 1934 (Communications Act) and
 - Section 2 of the Homeland Security Act of 2002

■ The Notice:

- “Public safety services” are either (1) services as outlined in the Communications Act or (2) services as outlined in the Homeland Security Act

- The Communications Act defines “**public safety services**” to mean services:
 - (A) the sole or principal purpose of which is to protect the safety of life, health or property;*
 - (B) that are provided by (i) State or local government entities, or (ii) by non-governmental organizations that are authorized by a governmental entity whose primary mission is the provision of such services; and*
 - (C) that are not made commercially available to the public by the provider*

- The Notice: Some examples of public safety services include
 - Traditional public safety entities (e.g., Police, Fire, EMS, Sheriff)
 - Entities supporting airport operations that ensure safety of passengers, crew, and airport personnel and property in a complex air transportation environment
 - Transportation department activities that affect the safety of motorists
 - Entities protecting the safety of animals, homes, and city infrastructure

- The Homeland Security Act (HSA) defines public safety services as services provided by “**emergency response providers**”:
 - *Federal, State, and local governmental and nongovernmental emergency public safety, fire, law enforcement, emergency response, emergency medical (including hospital emergency facilities), and related personnel, agencies, and authorities*

- The Notice: HSA definition expands the potential list of public safety services beyond those under the Communications Act,
 - Does not include a “principal purpose” limitation (e.g., utilities)
 - Specifically identifies “personnel” in addition to agencies and authorities as emergency response providers (e.g., volunteer firefighter)
 - Identifies personnel, agencies, and authorities “related” to the listed personnel, agencies, and authorities (e.g., those in supporting roles)

■ The Act:

- Secondary users not specifically defined
- Identified as an entity that enters into a public-private arrangement (known as a covered leasing agreement) with FirstNet to construct, manage, and operate the network

■ The Notice:

- A user that accesses network capacity on a secondary basis for its own, or the provision of, non-public safety services *only*
- Seeks comment on whether we should constrain the definition to those entering into a covered leasing agreement
- This definition of “secondary users” has a different meaning than the traditional industry usage of the term as it relates to users subject to prioritization and preemption

- The Act: Charge fees to an “entity, including any public safety entity or secondary user, that seeks access to or use of” the network

- The Notice:
 - Users potentially not limited to public safety entities and secondary users
 - Other potential users:
 - Opt-out States
 - Network capacity lessees
 - Equipment or infrastructure lessees
 - Others (although limited by consumer prohibition)

■ The Act:

- No definition of “rural”
- Requires network deployment phases with “substantial rural coverage milestones” and to utilize cost-effective opportunities to speed deployment in rural areas

■ The Notice:

- Preliminary adoption of Rural Electrification Act definition of “rural area” – comment on adjacency requirement
- Seeks comment on possible lower boundary of frontier or wilderness area
- Seeks comment on how to define substantial rural milestones



Proposed Definition of Rural Area



- Section 601(b)(3) of the Rural Electrification Act provides that “[t]he term ‘rural area’ means **any area** other than—
 - (i) an area described in clause (i) or (ii) of Section 1991(a)(13)(A) of this title [section 343(a)(13)(A) of the Consolidated Farm and Rural Development Act];
 - Section 343(a)(13)(A) explains that the “terms ‘rural’ and ‘rural area’ mean any area other than—(i) a city or town that has a population of greater than 50,000 inhabitants; and (ii) any urbanized area contiguous and adjacent to a city or town described in clause (i).”
 - (ii) a city, town, or incorporated area that has a population of greater than 20,000 inhabitants.”

■ The Act:

- Requires FirstNet to be self-funding
- Network user or subscription fee from each entity that “seeks access to or use of” the network
- Lease fees related to network capacity
- Lease fees related to equipment and infrastructure
- Opt-out state core usage fee



■ The Notice:

- Seeks comment on the difference between the terms “access to” and “use of” the network (e.g., database access)
- Seeks comment on any other permitted fees

- Request for Information (RFI) with a draft Statement of Objectives (SOO)
 - Document can be found on the FirstNet website and is posted officially on FedBizOpps at www.fbo.gov
 - Deadline to submit comments is Friday, October 17, 2014
- Public Notice and Comment
 - Document can be found on the FirstNet website and is posted officially on the *Federal Register* at www.regulations.gov
 - Deadline to submit comments is Friday, October 24th
- FAQs on each document are available on the FirstNet.gov Resources Page

Thank You



www.firstnet.gov
@FirstNetGov



FirstNet™