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November 1, 2012

NTIA, US Department of Commerce
1401 Constitution Avenue NW
HCHB Room 7324,
Attn: First Net NOI,
Washington, DC 20230

Attn: Program Administrator

Please accept this response to the Notice of Inquiry (NOI) released by the National Telecommunications and Information Administration in the Federal Register published on October 4, 2012 regarding the "Development of the Nationwide Interoperable Public Safety Broadband Network" from Florida's FirstNet Board.

Florida is encouraged that states are granted the flexibility in the decision making processes, as governance structures vary by state. We look forward to discussing the future of this significant public safety project.

Should you need additional assistance or have further questions, please do not hesitate contacting me at (850) 617-3100.

Respectfully,

A handwritten signature in black ink that reads "Julie Jones". The signature is written in a cursive style and is positioned above the printed name.

Julie L. Jones
Executive Director

The State of Florida is encouraged by FirstNet's enthusiasm in meeting the challenge to establish a National Public Safety Broadband Network (NPSBN), as well as its stated goal to provide a robust, reliable, ubiquitous network that meets the needs of the public safety community. However, the State of Florida has several comments concerning both the planning process for the proposed architecture and the architecture itself.

THE PROCESS

Florida's main concern about FirstNet's planning process is the lack of representation of states. The enabling legislation is clear that the states have a vital role in the process; however there are currently no state employees on the FirstNet Board. The lack of representation is proving difficult for the states to be involved with the planning process. Additionally, a strong representation from the public safety community is absent. Only 1/3 of the Board members are first responder personnel and only half of the rotating Board represents the government and public safety personnel. It is troubling that the least representation is afforded to the system users while the system providers have the most representation. Florida would prefer the Public Safety representation to be equivalent to the remainder of the Board.

This brings into question the design approach of the FirstNet Board. While its goal is to build a network to meet public safety's needs, most Board members will inherently see the project through the lens of a network provider. This is seen in the proposed FirstNet Network (FNN) architecture. Before the legislation passed, there were two main schools of thought about how to best allocate the D block spectrum. Wireless service providers wanted the D block auctioned to them, with the condition that public safety has priority on the spectrum. The public safety community rejected this approach and wanted the spectrum allocated to build out a public safety-centric network, with the potential of partnering with wireless providers if it proved beneficial. The key difference is one of control and priority. Congress was clear that the spectrum go to the public safety community for its use in the NPSBN and to achieve the goal of nationwide interoperability.

Given this mandate, many state, local, tribal, and public safety agencies expected a network design process that would be collaborative and public safety-centric, and that numerous solutions would be presented, analyzed, and debated in a collaborative, creative process to produce the best result. Instead, a single architecture was presented at the initial FirstNet Board meeting that bears a striking resemblance to the original concept favored by the wireless service providers. It included little to no input from state and local stakeholders and the state, local, and tribal governments still have not received the grant guidance to obtain the funding for planning and coordination with FirstNet. FirstNet's presentation of the FNN architecture as mature and ready to commence in a year disregards the positions of the public safety community who FirstNet is charged with serving.

THE PLAN

Concerns about the planning process notwithstanding, the FNN does present an initial attempt to define a plan and architecture for the National Public Safety Broadband Network (NPSBN). FirstNet acknowledged that the proposed architecture is only a framework and lacks many details. Florida is concerned about areas where the details are crucial to the success or failure of the NPSBN. While some of these details sound simple, their implementation could be more complex than expected.

One of Florida's basic concerns about the proposed FNN approach of using wireless service providers to install parallel Radio Access Networks (RANs) on existing sites is the resiliency and robustness required for a Public Safety mission-critical system. Wireless providers typically build systems to withstand all but the worst-case scenario. Mission-critical systems are built specifically for the worst-case scenario to ensure critical communications and reduce loss of life. Using existing commercial tower sites and structure (like shelters) is a good idea and an efficient approach that should be included. However, wireless providers may balk at the level of standards, and inherent costs, required by public safety for a communications system. Public safety will insist that this exacting level of robustness and resiliency be designed and built in from the beginning.

Control of, and access to, system equipment and resources are also crucial details that must be defined. For example, if public safety equipment resides in a provider-owned shelter and on a provider-owned tower, public safety personnel must be assured access to the equipment in case of emergency or for routine maintenance. If the providers own/maintain the equipment, public safety must be assured that all necessary care and maintenance are provided and that they have control over the operation of the public safety equipment. These stipulations go beyond the business agreements referenced in the FirstNet presentation. These are operational agreements for a mission critical, public safety-centric system. Currently, if a wireless provider's network goes down, the main consequences are lost productivity and money. If a mission-critical system goes down, the main consequence is potential loss of life for citizens and first responders alike.

Another key aspect of the proposed system design that must be addressed is the economic model. Currently, a number of Florida agencies use commercial wireless providers for non-mission-critical communications (e.g. for mobile data terminals in patrol cars). The hope is to transition these services to the NPSBN when it is built out. However, the subscription costs for the NPSBN will have to be competitive with the commercial networks for non-mission-critical applications. Mission-critical uses could change the calculations, but there are few, if any, high-speed data applications that currently fit into this category. If the costs of the NPSBN are not low enough to attract a) existing wireless users, and b) new users who see the cost-benefit of the new system, the NBPSN will not be viable as an economically self-sustaining system.

One requirement is to provide services to the rural communities. A practical question about the proposed FNN involves the extension of coverage to unserved areas where public safety still responds and provides mission critical voice communications. FirstNet acknowledges there are regions where there is no incumbent wireless provider with which to partner to provide coverage. In these cases, FirstNet may have to construct, install, operate, and maintain sites that provide coverage to "every square meter." Is FirstNet planning to act as the operator of these sites? Will another body be stood up to perform this role? Or will it be contracted out to a third party or parties? This will be of particular interest to rural users of the system.

Florida has an additional concern with the proposed FNN architecture, specifically with the opt-in/opt-out clause of the legislation. With the proposed FNN plan that leverages existing wireless provider infrastructure and operations, it is unclear what opt-out opportunities will exist.

- Would the states be opting out of allowing the existing wireless providers to implement the NPSBN, thus requiring the states to build out their own network?

- Would the states be opting out of FirstNet’s negotiations with the wireless providers, thus allowing the states to strike their own deals?
- In both cases above, what would be the process for states to request licenses for their share of the spectrum?

These and many other questions must be addressed for opting out to be a viable option for consideration as envisioned in the enabling legislation.

SUMMARY

While Florida supports the effort to implement a National Public Safety Broadband Network, and is encouraged by FirstNet’s focus on accomplishing the task, concerns remain regarding the process used to define the requirements for all levels of stakeholders. Until the states (and, by extension, local and tribal entities) are fully engaged in the process, there is no guarantee that the new system will meet everyone’s needs.

We strongly encourage the FirstNet Board to actively involve the user community in defining systems needs and functionality before embarking on a technical solution.