

**Minutes of the
U.S. Department of Commerce
Commerce Spectrum Management Advisory Committee
February 8, 2008**

Meeting Date and Time:

February 8, 2008
1:30 p.m.

Location:

325 Broadway
Building One, Conference Room 1103/5
Boulder, CO 80305

Committee Members in Attendance:

Dale N. Hatfield (Co-Chair); Bryan Tramont (Co-Chair); Dr. David Borth, Martin Cooper; Mark E. Crosby; Robert M. Gurss; John Hoadley, Dr. Kevin Kahn; Mark McHenry; Darrin M. Mylet; Janice Obuchowski (by telephone); Mark Tucker; and Jennifer Warren.

NTIA Staff:

Meredith Attwell Baker, Acting Assistant Secretary for Communications and Information
Karl Nebbia, Associate Administrator, Office of Spectrum Management
Eric Stark, Associate Administrator, Office of Policy Analysis and Development
and Designated Federal Officer
Al Vincent, Director, Institute for Telecommunication Sciences
Joe Gattuso, Senior Policy Advisor and Primary Committee Liaison
(Additional NTIA staff also observed the meeting in person or telephonically)

Guest Presenter:

Brad Bernthal, University of Colorado

Public Attendance:

Members of the public and press were present at the meeting in person and by telephone.

Meeting Agenda:

The meeting followed the issues presented in the meeting agenda.

1. Call to Order: Chairman Hatfield called the meeting to order at approximately 1:30 p.m. and welcomed attendees.

2. Remarks by Acting Assistant Secretary Baker

a. Appointment of Co-Chair. Mr. Hatfield introduced Acting Assistant Secretary for Communications and Information Meredith Baker, who gave welcoming remarks. Acting A/S Baker complimented Chairman Hatfield on his work with the committee and appointed Bryan Tramont to be Co-Chair with Chairman Hatfield. Chairman Hatfield and Mr. Tramont graciously accepted shared responsibilities.

b. Member Participation. Acting A/S Baker said that NTIA is grateful for the work of the members, who are volunteers. She noted the members' impressive credentials and the importance of each member fully contributing to the greatest extent of their abilities. She underscored that while each member may not have something to contribute to every task, each member has been appointed to bring their experience and expertise to the issues before the Committee.

3. Status Reports and Adoption of Workplans for Committee Tasks

Mr. Hatfield stated that the committee had six things to do: to accept a report and address five tasks for 2008. He said that what he wanted to take away from the meeting was a sense that all of the members agree on the tasks and that there be an appointed task leader responsible for each. He also said that the Committee should set delivery times and a schedule for each task.

a. Acceptance of Report Prepared by Subcommittee on Technical Efficiency, Working Group 4. Mr. Hatfield turned to John Hoadley to present the working group's draft interim report, "Opportunities for Government Adoption of Commercial Technologies." Mr. Hoadley said that this report is an updated version of the report [discussed at December's meeting] and noted the major changes. Mr. Hoadley said he had received a submission from industry the day before the meeting with technical information on the evolution of public safety networks and would like to create a revised version to maintain balance in the presentation of 3G issues. Mr. Hoadley agreed to email the revised draft via email for final consideration by the committee.

b. Completion of Spectrum Efficiency Task from 2007 (New Task 1). Mr. Hatfield asked Jennifer Warren to give a status of a report on the spectrum efficiency task. Ms. Warren stated that there had been two conference calls by the subcommittee and a solicitation for input. The subcommittee did not come up with a common definition of efficiency that addressed all the different types of services within the task. She suggested refining the task to break out the different measurement definitions. Ms. Warren stated that the group first sought to find a definition of spectral efficiency noting that a one-size-fits-all approach does not apply to the various uses. There was discussion among the members about issues including differentiating among commercial and noncommercial wireless technologies and among different types of services, and determining what would be considered efficient within each technology type. One issue was whether land mobile radio ("LMR") is one distinct category that may lend itself to measurement. Mr. Hatfield asked Dr. Kahn to help the task group with the technical aspects of

the work. Mr. Cooper offered to participate on the aspects of spectral measurements. Mr. Tramont said that the goal would be to get a definition of technical efficiency that could be used to evaluate different systems, and that this definition would be used as one factor to evaluate the overall utility of a given path forward. Acting A/S Baker agreed, noting NTIA's recent reports on efficiency and saying that it is valuable to assess the different categories of LMR.

c. Completion of Spectrum Sharing Analysis and Preparation of Recommendations for Streamlining Federal/non-Federal Sharing (New Task 2). Mr. Hatfield briefly described the task and suggested that the committee look at previous sharing arrangements to see how well they worked and what barriers existed. He introduced Brad Bernthal, an associate professor of clinical law at the University of Colorado Law School, to share the results of his paper, "Cooperative Network in the Alaskan LMR System."

Mr. Bernthal provided some background on the Alaskan LMR system and extrapolated from the ALMR experience to address the challenges facing cross-agency collaboration. He covered three areas: collaborative networks; overview of the ALMR system; and the framework of problems inherent in establishing a collaborative network. Mr. Bernthal posed five questions to the committee: 1) what are the incentive structures (individual agency; individual decision-maker within each agency); 2) what are the organizational risks (potential leadership failures; management shortcomings; voids of expertise); 3) what are the relationship risks (opportunistic behavior; free-rider); 4) what are operational risks; and 5) what are the political policy barriers and risks.

Following questions and comments by committee members, Mr. Hatfield thanked Mr. Bernthal. He said that last year the committee talked about a taxonomy of sharing arrangements, and that the second part of the discussion was to pick additional examples like FEDSMR and analyze them the same way. He asked for comment on the task description and asked for a volunteer to be task leader. Mr. Gursr agreed to take on the task and Mr. Crosby offered to assist.

d. Improving the Process of Identifying Potential Spectrum for Future Reallocation (New Task 3). Mr. Tramont said that the charge initially was whether or not the committee could draw constructive lessons from past reallocation processes. He said that he divided the task into sections: 1) lessons-learned; 2) triggers for relocating and sharing; 3) factors that go into an analysis; and 4) the Commercial Spectrum Enhancement Act.

The meeting participants discussed the issues that could be raised in each of the proposed tasks. Mr. Tramont agreed to lead this task by initially examining lessons learned from previous sharing and reallocation decisions and the experiences under the CSEA.

e. Transition of Federal Land Mobile Radio Systems to Increase Spectrum Efficiency (New Task 4). Mr. Hatfield said that this task concerns how the federal government might transition land mobile radio systems, stating that he thought NTIA's four recent reports point to some opportunities, for example, for utilizing shared trunking systems. He said that this task would be a good follow-on to Mr. Hoadley's working group's previous report on efficiency. Mr. Hoadley said that the issue is how to make the transition practical -- how to create incentives and make the move easy. Mr. Hatfield suggested that the working group might want to clarify the task description by expanding it.

The Committee then discussed the process for recruiting members to help with the new task forces. Mr. Tramont said that the process has been ad hoc, with the task chair throwing open an invitation, often on the CSMAC listserv. The committee members then discussed additional issues and proposals for sharing spectrum between federal and non-federal entities.

f. Implementation of OMB Circular A-11 and Consideration of Spectrum Fees (New Task 5). Mr. Hatfield said that there should be a formal task description. The task, he said, involves two components: 1) providing advice to NTIA regarding the implementation of OMB Circular A-11; and 2) potential extension to include administrative incentive pricing (AIP). Mr. Hatfield asked Ms. Obuchowski to lead this task, and Ms. Obuchowski asked for volunteers to support it. Ms. Obuchowski suggested that they would need to get a snapshot of what DoD has accomplished and then get informal feedback from DoD. Mr. Hoadley noted that Jim Lewis, the chair of the Subcommittee on Operational Efficiency, had done work on this issue. Ms. Warren offered to contribute information from the UK's experience.

Mr. Hatfield proposed that the task leaders come back within about two weeks with revised task descriptions and then a roughed out draft of reports by the date of the next meeting. Mr. Tramont used as an example for the committee to follow John Hoadley's report of the Subcommittee on Technical Efficiencies, where his committee presented rough findings, and the full committee gave feedback to be finalized for the following meeting.

3. Date and Place of Next Meeting

Chairman Hatfield proposed scheduling the date and place of the next meeting. After discussion the Chairman stated that the next meeting would be on April 30, 2008 at 1:00 p.m. in Washington, DC.

4. Public Comment Period

Chairman Hatfield asked if anyone from the public had comments, and there were none.

5. Adjournment

Acting Assistant Secretary Baker and Chairman Hatfield thanked the staff and thanked everyone for attending. Chairman Hatfield adjourned the meeting at 3:21 p.m.

Respectfully submitted,

Date:

Eric Stark
Designated Federal Officer

I hereby certify that these minutes of the February 8, 2008 Commerce Spectrum Management Advisory Committee are true and correct to the best of my knowledge.

Date:
Dale N. Hatfield
Co-Chair

Date:
Bryan Tramont
Co-Chair