

**U.S. DEPARTMENT OF COMMERCE  
National Telecommunications and Information Administration  
First Responder Network Authority  
Docket No: 140821696-4696-01  
RIN: 0660-XC012**

**Proposed Interpretation of Parts of the Middle Class Tax Relief and Job Creation Act of 2012  
Action: Notice and Request for Comments  
Comments from the Arkansas Interoperable Communications Committee**

### **Introduction**

The First Responder Network Authority (“FirstNet”) issued a Notice requesting public comments on certain proposed interpretations of its enabling legislation, the Middle Class Tax Relief and Job Creation Act of 2012 (the “Act”). In support of its mission to build, operate, and maintain a nationwide public safety broadband network (“NPSBN”), FirstNet is seeking public comment on certain technical, economic, and legal issues to help in development of any Request for Proposals (“RFPs”), operations going forward, and future implementations, such as the establishment of network policies. In response to this Request for Comment (“RFC”) the Arkansas Interoperable Communications Committee (“AICC”) respectfully submits the following comments.

### **Elements of the FirstNet Network**

FirstNet expressed their preliminary conclusions for definitions of the NPSBN equipment including the “core” and “radio access network” elements. The AICC has reviewed the definitions and supports basing the definitions on established commercial standards (i.e. 3GPP). We also certainly understand the difficulty implementing an integrated nationwide interoperable network if States deployed their own, separate core networks and the legislation is clear that the network will be based on a single, national network architecture. However, without a clearer architectural picture, we are concerned about potential network performance constraints.

The backhaul element is currently considered part of the RAN infrastructure, and the bandwidth demands could exceed capacity depending on how much geographically dispersed traffic needs to transverse large portions of the network. Other connectivity questions remain unanswered depending on the strategy for use of deployable type solutions. The AICC encourages Firstnet to address these critical technical elements to ensure that public safety users’ expectations are fully understood and that public safety users know what to expect as the NPSBN is implemented.

### **User Definitions**

The AICC appreciates the potential for the NPSBN to support a broad and diverse user community. Expanding the traditional definition of public safety users to include those entities and individuals that “support” primary public safety responders appears a practical solution with potential economic benefits for all users of the NPSBN, including both governmental and non-governmental entities. The concepts of prioritization and/or preemption under local control, while not fully defined as yet, address many of the AICC’s concerns regarding an overly broad definition of public safety or primary users.

However, the technical details, administrative rules, and operating policies regarding local control have not been determined. Many questions remain regarding how local controls will be established and implemented, how traffic on the network will be prioritized, and how dynamically these controls can effectively manage the NPSBN. The AICC anticipates an active discussion with FirstNet on the issues surrounding local control over the appropriate elements of the network.

As a final comment, the categorization of an “Opt-Out” state as a secondary user or other user also has the potential for significantly impacting a State’s decision process. Coupled with the assignment of fees to the various categories will obviously be one of the driving factors in this decision.

### **“Rural” Definition and Its Impact**

To assist in fulfilling the duties regarding rural coverage requirements in the Act, FirstNet has proposed specific definitions for “rural” coverage areas. Regardless of the resulting definition, large geographic portions of the nation will fall under the definitions of rural and wilderness. The AICC is concerned that if any definition is broadly coupled to a particular technical solution that FirstNet will fail to consider the impact of high incident or high risk areas. Clearly, a one-size-fits-all solution will miss the mark in many areas of the county and Arkansas in particular.

The AICC certainly understands the need to establish a reference point for determining compliance with the Act, and we further note the need for flexibility needed for deployment in rural areas. We look forward to engaging with FirstNet in these discussions to influence solutions that work for public safety first responders in the defined rural areas.

**Fee(s) Definitions**

The AICC understands the Act’s requirements for fiscal sustainability and that the establishment of user fees, network fees, lease fees, and other fees will be applied for that purpose. Since the network is being built as a nationwide interoperable public safety network, we encourage consideration for establishment of the various fees to consider a structure that minimizes the impact to these public safety potential users, especially in rural areas of the nation.

The fee structure will certainly be a factor with respect to an Opt-In / Opt-Out decision, and the issue of user fees for core usage and subscriber fees become part of the analysis. We encourage a fairness approach that levels costs for all public safety users and maintains flexibility for each potential user to make the best decision for their particular situation.

Respectfully Submitted:

Arkansas Interoperability Communications Committee

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