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January 3, 2014

Mr. Samuel Ginn
Chairman
First Responder Network Authority Board
1111 Bayhill Drive, Suite 435
San Bruno, CA 94066

Dear Mr. Ginn:

Thank you for appearing before the Subcommittee on Communications and Technology on November 21, 2013, to testify at the hearing entitled "Oversight of FirstNet and the Advancement of Public Safety Wireless Communications."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on January 17, 2014. Your responses should be e-mailed to the Legislative Clerk in Word format at Charlotte.Savercool@mail.house.gov and mailed to Charlotte Savercool, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Greg Walden
Chairman
Subcommittee on Communications and Technology

cc: Anna Eshoo, Ranking Member, Subcommittee on Communications and Technology

Attachment

Attachment — Additional Questions for the Record

The Honorable Greg Walden

1. It has been reported that FirstNet General Manager Bill D'Agostino has stated that "At the end of the day, what this will be is a mosaic of different strategies, it'll be a mosaic of different networks." Please explain what is meant by a "mosaic of networks."
2. FirstNet board member Jeff Johnson has acknowledged that FirstNet "fell short on answers to timing and business model questions." This information is critical to the states in their planning. What has FirstNet done to rectify the situation and what work remains? When will this information be available?
3. According to reports one of the Board members recently stated that the Board doesn't know yet how much users will pay to be part of the network. Has FirstNet developed a cost model or performed any financial analysis to show how much the nationwide network will cost to build, operate, and maintain to ensure financial self-sufficiency and fund upgrades? If so, provide a copy of the cost model or any financial analysis performed.
4. FEMA Region 5 Regional Emergency Communications Coordination Working Group (Region 5 RECCWG) submitted a detailed list of questions to FirstNet last February. The Region 5 RECCWG reached out again in June to ask when FirstNet would provide a response. To date, FirstNet has not provided a response to the questions. When will FirstNet provide a response to the Region 5 RECCWG inquiry?
5. During a recent presentation to state CIOs a spokesperson for FirstNet stated that the opt-out mechanism is "not much of an option." The spokesperson went on to state that "[s]tates have three choices: opt in; stay silent and opt in by default; or opt out, leaving the state responsible to build, operate and maintain its own FirstNet-compliant network." Given your previous testimony before the Subcommittee, does this description accurately describe the choices states have? Please explain.
6. When you first appeared before the Subcommittee you testified that based on site visits to every one of the BTOP grantees and discussions with project leaders and the vendors that "we've determined that these projects could provide benefits to FirstNet deployment efforts and generate valuable lessons..." It is clear that some of these projects apparently won't be moving forward because of the inability of FirstNet and the BTOP recipient to execute a lease for the FirstNet spectrum. For each of the instances in which FirstNet was unable to execute a lease with a BTOP recipient, please explain the lease terms that the parties were unable to reach agreement on resulting in the failure of negotiations.
7. Please describe the terms of each of the spectrum leases executed between FirstNet and the BTOP grantees.
8. FirstNet General Manager Bill D'Agostino was recently quoted as saying "The BTOPs will kind of close down—[although] those that come through, come through," ... "The next phase for us is to turn our energy toward the whole broad definition of what it takes to opt in and to present a state plan that a governor can accept or make a decision on. Our hope is that there will be

some states that are obviously more ready to go than others, and we'll start to move those as quickly as humanly possible. That's what we call early movers." Given this statement, please explain FirstNet's deployment strategy.

9. Several of the BTOP grantees had purchased and received equipment for their projects. Some of these jurisdictions have not yet executed spectrum lease agreements with FirstNet. In fact, the City of Charlotte, North Carolina has announced that it was unable to reach an agreement and ceased negotiations. BTOP grantees that are unable to execute spectrum lease agreements will lose funding. Please explain what will be done with the equipment purchased for these projects. Will the grantees be reimbursed for all costs incurred as a result of the suspension of funding and subsequent inability to execute a spectrum lease agreement with FirstNet? Please explain.

10. When do you believe that FirstNet will be providing services to first responders?

11. Please explain the role of mobile network solutions in FirstNet's deployment strategy.

12. Commercial providers, with significantly greater scale than FirstNet have not been able to make buildout in the most rural areas economical. Please explain how FirstNet will deliver service to the most rural areas.

13. FirstNet is required to establish substantial rural coverage milestones as part of each phase of the construction and deployment of the network. Has FirstNet established such milestones? Please describe these milestones.

14. In your testimony you stated that if the states and federal government permitted FirstNet to use cell site locations without fees the cost of the network would be dramatically reduced. Please explain how FirstNet intends to negotiate for these assets.

15. The statute provides that once FirstNet completes the RFP process for the construction, operation, maintenance, and improvement of the nationwide network, FirstNet is required to provide the governor of each state notice of the completion of that process, the details of the proposed plan for the buildout of the nationwide network in the state and the funding level for the state as determined by NTIA. The state has 90 days after the receipt of such notice to notify FirstNet, NTIA and the Commission whether it will participate in the deployment of the nationwide network in the state or conduct its own deployment of a RAN in the state. Please explain the status of the RFP process. When will FirstNet provide notice to the states?

16. It has been announced that FirstNet will be launching a website "this fall." Please explain the plan for developing and testing the website? Please identify any contractors that were retained and the total cost of the development and launch of the website. Please attach any agreements with outside firms for the Subcommittee to review.

17. Please describe the working relationship between NTIA and FirstNet? Do FirstNet decisions go through NTIA? Does NTIA have an effective veto over FirstNet decisionmaking?

18. FirstNet will remain a data only network until the 3GPP standards are developed for mission-critical voice over LTE. The Middle Class Tax Relief and Job Creation Act of 2012 directed the National Institute of Standards and Technology to, among other things, accelerate the development of "mission critical voice" and do so in consultation with FirstNet and the Public

Safety Advisory Committee (PSAC). Please explain what FirstNet has done in consultation with the PSAC to advance the development of mission critical voice over LTE.

19. The FirstNet Board approved a budget of \$194 million for Fiscal Year 2014. How much has the FirstNet Board spent to date since it was formed in 2012? How much of these expenditures were paid to outside consultants. For each consultant providing services to FirstNet, please identify the consultant, the date services commenced and the date services ended, whether or not the contract was renewed, the term of the renewed contract, and provide a description of the services provided under the contract.

The Honorable Joe Barton

1. In my home State of Texas, Harris County is using live data when operating their public broadband network. As you are aware the current authority to operate the public safety broadband network expires on Nov 26th and public safety users will no longer be able to operate on that network unless a long-term lease agreement has been executed or a renewal of the Special Temporary Authority (STA) has been granted.

- Can you give us a status update on the lease agreement and will FirstNet support the renewal of the STA until final approval of a lease agreement can be reached?
- What progress has been made during the negotiations to grant Texas a long-term lease agreement? What hesitations does FirstNet have with granting Texas this type of agreement?

2. It is my understanding that a small number of jurisdictions in Texas (City of Ft. Worth, City of Irving and Randall County) have purchased LTE equipment and that Texas is seeking authority for these jurisdictions to deploy and operate on the public safety broadband network. There are also a few other locations in which Texas is seeking approval to deploy including Austin, Brazos County and the Rio Grande Border. Texas currently has the approval to operate a total of 14 sites, but wants to expand to 84 additional locations.

- Is FirstNet willing to support the limited deployment of these additional jurisdictions outside of the Harris County deployment?

The Honorable Anna Eshoo

1. In September, the FCC announced a landmark, voluntary industry solution to achieve interoperability in the lower 700 megahertz band. What steps is FirstNet taking to leverage this opportunity? Do you agree this agreement will provide first responders with more roaming opportunities and greater redundancy?