

1 page summary of major points

- Outreach has improved and strategic partnership with the States is imperative
- Business model for sustainable operations
- Ensure the state collaboration keeps pace with the technical outreach to ensure technical solutions fit with state needs

Testimony

Good morning Chairman Walden, Ranking Member Eshoo and members of the Subcommittee. Thank you for the opportunity to testify on FirstNet and the Nationwide Public Safety Broadband Network (NPSBN) initiative.

My name is Stu Davis and I currently serve as Ohio's State Chief Information Officer (CIO) and the Assistant Director for the Ohio Department of Administrative Services (DAS).

As the State Chief Information Officer, I lead, oversee and direct state agency activities related to information technology development and use. As Assistant Director of DAS, I oversee the Office of Information Technology (OIT) which delivers statewide information technology and telecommunication services to state government agencies, boards and commissions.

The State CIO is also the Chair of the Multi-Agency Radio Communications System (MARCS) Steering Committee - Ohio's Land Mobile Radio system - that supports voice

and data communications for statewide public safety and emergency management. I also chair Ohio's Emergency Services IP Network (ESINet) Steering Committee focused on Ohio's Next Generation 911 solution.

I first testified before you in November of 2013 and expressed the concerns that the Ohio General Assembly had about FirstNet and expressed in Senate Concurrent Resolution 15 of that year. Specific concerns were around,

- The business plan,
- Costs the State will bear – mandated or obligated
- The ability to Opt out with no net costs if not appropriate for Ohio
- To have written assurances that it will meet and exceed current level of service in the areas of reliability, redundancy, and state based system control, and
- Fair market compensation for access and utilization of state-owned assets in support of network deployment.

It called for this subcommittee to continue these meetings and we commend you for doing so.

I also expressed concerns relative to some key components that are necessary for success. FirstNet has made significant progress in further defining and communicating to us on these concerns and key components for this effort.

**Partnership versus Customer:** It is important that FirstNet views relationships with the state as a partnership. FirstNet has come a long way in this regard. Over the past year

and a half many states have had the opportunity to meet with representatives from FirstNet and discuss issues and concerns. FirstNet's message has been clear and they are listening and reacting to our concerns. Ohio's FirstNet consultation was held last week and by all accounts, was a positive interaction.

**Planning and Development:** States, including Ohio, have received planning grants to support stakeholder outreach, governance and data collection activities in support of FirstNet. Ohio has been pursuing a regional approach. The FEMA "Region V" states of Michigan, Minnesota, Indiana, Illinois, Wisconsin and Ohio, have long been partners in the pursuit of obtaining the best possible public safety communication networks for the region. Region V states have monthly phone conferences; meet face to face at conferences and periodically as a large group. We have found the same issues emerge for all of us – from local control issues to how to leverage our robust LMR systems, to NG911 integration and business models. At our request, FirstNet participated in one of these meetings and provided additional communication and consistency in their message regarding interactions with the States. Their outreach efforts are appreciated. Region V states created profiles of their current Land Mobile Radio System (LMRS). This data collection effort included key infrastructure elements such as tower assets, connectivity/networking as well as operational elements such as staff resources, customer base and funding. Gathering this information was helpful in the State's preparation for FirstNet's consultations.

**Leveraging State Assets:** As previously mentioned, Region V has taken steps to identify assets that support emergency responder communication - from towers to other technical infrastructure. Of course there are necessary legal, financial and jurisdictional considerations when leveraging public infrastructure. Due to the complexity of these considerations, recent discussions have been around foregoing leveraging state assets - which is understandable. These considerations multiplied by 50 states will take enormous time and effort. However, leveraging MARCS towers will greatly assist in achieving the NPSBN coverage necessary across Ohio.

**Continued Concerns:** The FirstNet business model is still undefined. Based on recent discussion at our State consultation meeting it appears that it will be defined by the successful bidder through the RFP process. The business model is critical to know and understand for the sustainability of the effort. Building the cost recovery and usage rates will be instrumental in the adoption of this effort. The FirstNet Chief Financial Officer recently discussed a potential user fee of \$30/month/device based on 13 million users or subscribers. This sets an expected bar for fees and is close to what some current service providers are charging but FirstNet should provide as good or better service at an equal or lower cost. We have users of our LMRS today that indicate that they cannot afford the \$20/month/device fee we charge.

Additionally, further clarity around user community access and secondary use is required. Utilities are asking good questions and making a strong case regarding priority

access and spectrum for the critical data systems they support. Their inclusion as partners on the NPSBN could also provide sustainability of a future business model.

There continue to be concerns regarding coverage. Recent discussions have focused on the urban areas with a phased approach to address the rural and remote areas. Currently Ohio's MARCS service coverage is 97.5 percent of the state. We would expect at least the same for FirstNet in Ohio. I understand the reasons for this current focus, but I am concerned that in the long run, the rural and remote areas of the state will be under represented. I will continue to press for a FirstNet coverage plan and scheduled that clearly extends to these areas of Ohio.

It is important to note that we are supportive of FirstNet and the concept of the Nationwide Public Safety Broadband Network. Ohio is uniquely positioned to take advantage of the significant opportunity to coordinate and converge multiple efforts. These efforts include the upgrade to our LMRS – MARCS - and Ohio's Next Generation 911 system. I look forward to our continued partnership with FirstNet and ensure impacts to current initiatives are in alignment with Ohio's direction.

I appreciate the opportunity to be here today. Thank you for your time and I will respond to any questions you may have.