

Chief Harlin R. McEwen

Chief of Police (Ret) City of Ithaca, NY

FBI Deputy Assistant Director (Ret) Washington, DC



Chairman

Communications & Technology Committee

International Association of Chiefs of Police



**Public Safety
Spectrum Trust**

Chairman

Public Safety Spectrum Trust

Building a Nationwide Public Safety Wireless Broadband Network

**FCC Chairman's Proposed
3rd Further Notice of Proposed Rulemaking
FCC Meeting Thursday, September 25, 2008**

**National Public Safety Telecommunications Council
Quarterly Meeting – Seattle, Washington
September 15-17, 2008**

Tentative Schedule (Known Dates and Estimated Dates)

September 4, 2008

FCC Chairman circulated to the Commissioners a draft
3rd FNPRM

September 18, 2008

Sunshine Period for 3rd FNPRM (prohibiting outside contacts with FCC)

September 25, 2008

FCC Meeting to consider 3rd FNPRM

October 1, 2008 (?)

3rd FNPRM Published in Federal Register

October 15, 2008 (?) [14 days after publication-could change to 30 days]

Comments Due

October 22, 2008 (?) [7 days after comments-could change to 15 days]

Reply Comments Due

December 2008 (?)

FCC 3rd Report and Order

April-June 2009 (?)

D Block Auction

What We Have Heard About the Draft 3rd FNPRM

PSST Issues

1. PSST will continue to hold the nationwide Public Safety Broadband License (PSBL)
2. Board makeup will not be changed with the exception that the National Emergency Management Association (NEMA) will be replaced by another organization
NEMA has not named a rep to the Board
3. Will be required to hold meetings open to the public
The PSST Board already has a task force developing a policy for the Board to conduct open meetings
4. Will include conflict of interest language to ensure that Cyren can't be both an advisor to the PSST as well as a bidder
PSST already has such an agreement with Cyren

What We Have Heard About the Draft 3rd FNPRM

PSST Issues (Continued)

5. Must separate the position of Chairman and CEO
This has always been the intention of the PSST Board once we have funding to hire a CEO
6. Proposes capping the spectrum lease payment at \$5 M
The PSST will object that this may be too low of a cap until it is fully decided how many private partners (D Block Licensees) it may be facing and what the roles and responsibilities for the PSST/PSBL will be
7. PSST would be prohibited from acting as a mobile virtual Network Operator (MVNO)
The PSST has already abandoned any thoughts of this
8. Proposes a more limited role for the PSST/PSBL
We are concerned it may give D Block Licensee(s) too much control over public safety spectrum

What We Have Heard About the Draft 3rd FNPRM

Auction Issues

1. Simultaneous D Block Auction (only one option will win)
 - a. Single Nationwide License
(Technology to be determined by winner)
 - b. 58 Regional Licenses – LTE Technology
 - c. 58 Regional Licenses – WiMax Technology
2. 58 Regions based on 700 MHz Regional Planning Areas plus Gulf of Mexico, Guam & Northern Mariana Islands, and American Samoa
3. Winning scenario will be based on coverage first, revenue second
4. If there is no interest in nationwide license, 50% of the regional licenses must be sold for a successful auction

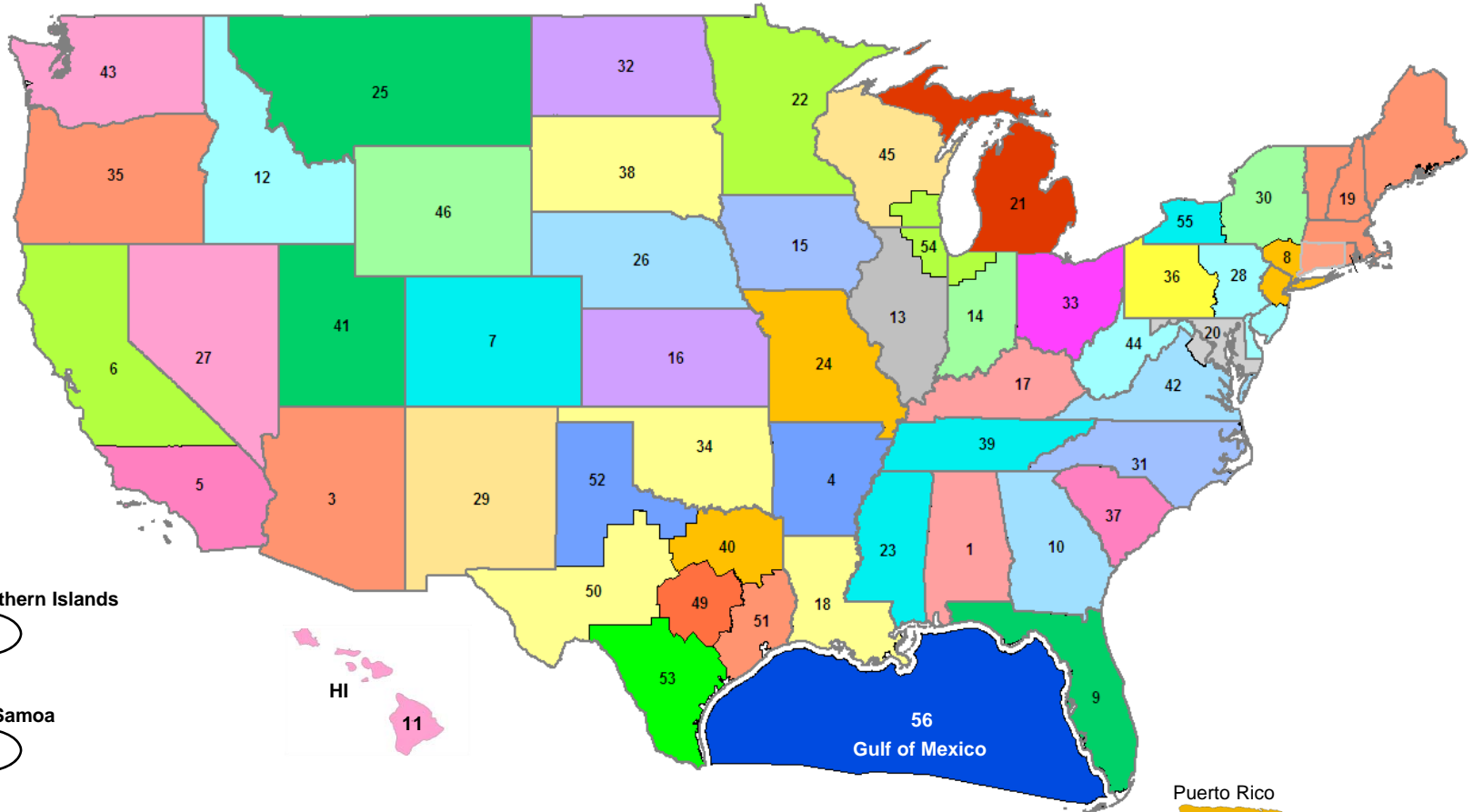
What We Have Heard About the Draft 3rd FNPRM

Auction Issues (Continued)

5. Roaming would be mandated under a regional structure to ensure interoperability
6. We understand that there will be initial minimum bid prices, but no reserve price that must be met. Proposed \$750 M nationwide minimum would supposedly be broken down by regions to equal the nationwide minimum. Once 50% of the nationwide minimum (\$375 M) or 50% of population threshold is reached, the pricing of the unsold licenses will continue to drop until sold

Proposed D Block License Regions

(700 MHz Regional Planning Areas)



Guam / Northern Islands

57

American Samoa

58



Puerto Rico

47

48 Virgin Islands

What We Have Heard About the Draft 3rd FNPRM

Build-Out Requirements

1. Coverage
 - a. 98% population coverage for the most densely populated areas
 - b. 94% population coverage for the moderately dense license areas
 - c. 90% population coverage for the least dense license areas
2. Not clear the exact methodology for determining which licenses fall into each category
3. Build-out/License term extended from 10 years to 15 years
4. New rules would specify baseline hardening requirements, but no details at this point

Miscellaneous Issues

1. Proposes a \$48.50 monthly fee cap for public safety users
2. Don't know yet how 700 MHz narrowband relocation will be treated