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Comments submitted by email to:
SLIGP@ntia.doc.gov.

Dear Ms. Pettus:

Thank you for the opportunity to comment on the State's role in the grant program for the nationwide public safety broadband network. As you will note in our comments below, the State of Nebraska believes that as NTIA embarks on this project, it will become apparent rather quickly that states are in different states of readiness for the NPSBN and that each state may need to be treated differently as to how they wish to deploy their portion of the network. With that premise in mind, it is Nebraska's stance that many of the questions related to how the grant program will operate and how entities will be involved in the program should be left up to the discretion of the Governor of each State.

The following are Nebraska's comments on several of the topics outlined. I have bolded our responses in order to make it easier to see our comments.

Request for Comment
The Consultation Process
1. Section 6206(c) (2) of the Act directs FirstNet to consult with regional, State, tribal, and local jurisdictions about the distribution and expenditure of any amounts required to carry out the network policies that it is charged with establishing. This section enumerates several areas for consultation, including: (i) Construction of a core network and any radio access network build-out; (ii) placement of towers; (iii) coverage areas of the network, whether at the regional, State, tribal, or local level; (iv) adequacy of hardening, security, reliability, and resiliency requirements; (v) assignment of priority to local users; (vi) assignment of priority and selection of entities seeking access to or use of the nationwide public safety interoperable broadband network; and (vii) training needs of local users. What steps should States take to prepare to consult with FirstNet regarding these issues?

The State of Nebraska believes that each State should prepare a "State of the State" related to current public safety networks that are currently in operation in each State. Having FirstNet fully apprised of the infrastructure that currently exists, as well as any statewide governing bodies and policies, will allow the consultations between FirstNet and the State to start on solid ground.

a. What data should States compile for the consultation process with FirstNet?

The data should start with where the State is relative to public safety communications systems and interoperability today. For some states, this may be as simple as an inventory of what the State has done with broadband grants, homeland security grants relative to public safety communication systems, and any initiatives that are going on in the State in an attempt to achieve interoperability in the public safety arena. For other consolidated states, this may be a report that includes a full blown inventory of systems, towers, broadband networks, and coverage. It will depend where the State is in the interoperability process.

b. Should this activity be covered by the State and Local Implementation grant program?

If the information requested by FirstNet is at a level that allows each State to identify information related to work completed, there should be no need to cover the compilation of information with the grant dollars. However, if detailed inventories of all parts and pieces of the network equipment and infrastructure are required of every State, then yes, the grant program will need to cover these unanticipated expenses by each State.

2. The Act requires that each State certify in its application for grant funds that the State has designated a single officer or governmental body to serve as the coordinator of implementation of the grant funds.

a. Who might serve in the role as a single officer within the State and will it or should it vary for each State?

The Governor of each State should be allowed to designate the single officer within the State that will serve in this role. Each state will be different and states should be allowed this flexibility.

b. Who might serve on the governmental body (e.g., public partners, private partners, technical experts, Chief Information Officers, SWIC, finance officials, or legal experts)?

This will vary by State. Again, the Governor of the State should be granted the authority to decide who will serve on the governing body. For example, in Nebraska, public power is a full partner in our public safety network and would most likely have a seat at the table. In other states, this may not be the case.

c. How should the States plan to involve the local entities in the State and Local Implementation grant program?

This will vary by State also, and should be left to the discretion of the Governor.

d. How should the States plan to involve the tribal entities in the grant program?

e. What requirements should be included in the grant program to ensure that local and tribal public safety entities are able to participate in the planning process?

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This will vary by State. Some states have a very centralized process and all the funds will flow through one entity – with the local and tribal public safety entities already being represented on the planning group. Again, this should be left to the discretion of the Governor.

f. How should the State and Local Implementation grant program ensure that all public safety disciplines (e.g., police, sheriffs, fire, and EMS) have input into the State consultation process?

See above.

g. How should the State and Local Implementation grant program define regional (e.g., interstate or intrastate) and how might the grant program be structured to facilitate regional participation through the States?

See above.

h. How should States plan to involve the Federal users and entities located within their States in the grant program?

Federal agencies should not only be encouraged to participate in local planning efforts, they should be required to participate in local efforts.

3. The Act contemplates that FirstNet will consult with States regarding existing infrastructure within their boundaries, tower placements, and network coverage, which FirstNet can use to develop the requests for proposals called for by the Act. The States, however, will need time and funding to collect the necessary information before they are ready to consult with FirstNet.

a. Given these interrelated activities, how should the State and Local Implementation grant program be used by States to assist in gathering the information to consult with FirstNet?

To get this level of detail, the grant program will have to be used to assist States in gathering the information. States are not anticipating this activity and few will have this level of detail. Additionally, FirstNet should prepare a template format for States to use to gather this information to ensure that uniformity is attained and that information is not missed as this level of effort is made.

b. Should consistent standards and processes be used by all States to gather this information? If so, how should those policies and standards be established? What should those policies and standards be?

Yes. Using the requirements established by the Technical Interoperability Board, the FirstNet Board should determine the inventory standards. This process may also be a little like "the chicken or the egg" in that technical specifications for the RFP may need to be "assumed" by FirstNet to a degree to ensure that the information required to build the nationwide network is collected the first time.

c. What time period should NTIA consider for States to perform activities allowed under the grant program as it relates to gathering the information to consult with FirstNet?

This inventory process will be an onerous task for many States, and may require the assistance of external consultants. States need to be given enough time to bid out this service and complete the work.

Existing Public Safety Governance and Planning Authorities
4. Over the years, States have invested resources to conduct planning and to create governance structures around interoperable communications focused primarily on Land Mobile Radio (LMR) voice communications, including the Statewide Interoperability Coordinators (SWIC) and Statewide Interoperability Governing Bodies (SIGB), often called Statewide Interoperability Executive Committees (SIEC).

a. What is the current role of these existing governance structures in the planning and development of wireless public safety broadband networks?

These groups have been in existence for specific purposes for several years. However, their focus has not been on the development of a nationwide public safety broadband network and in some cases, not even on any type of operational network.

b. What actions have the States' governance structures (e.g., SWIC, SIGB, or SIEC) taken to begin planning for the implementation of the nationwide public safety broadband network?

For the reason stated above, these groups have had no involvement.

c. Can these existing governance structures be used for the PSBN, and if so, how might they need to change or evolve to handle issues associated with broadband access through the Long Term Evolution (LTE) technology platform?

This will vary by State. As such, it should be left to the Governor of each State to determine their governance structure.

d. What is or should be the role of the Statewide Communications Interoperability Plans (SCIPs) in a State's planning efforts for the nationwide public safety broadband network?

See above.

e. What actions do the States need to take to update the SCIPs to include broadband?

This is one area where involvement by the CIO/CTO can be extremely beneficial to this process. Most of the broadband work being done in the States is closely monitored or even being done under the direction of the CIO/CTO for the State.

f. Should the costs to change or evolve existing governance and Statewide Plans be eligible in the new program?

Yes.

g. Should the maintenance of those existing governance bodies and plans be eligible in State and Local Implementation grant program?

Yes.

Leveraging Existing Infrastructure
5. How should States and local jurisdictions best leverage their existing infrastructure assets and resources for use and integration with the nationwide public safety broadband network?

Again, this is an area where involvement by the CIO/CTO can be extremely beneficial to this process. Most of the existing telecommunications infrastructure in the States falls under the domain of the CIO/CTO for the State.

a. How should States and local jurisdictions plan to use and/or determine the suitability of their existing infrastructure and equipment for integration into the public safety broadband network?

b. What technical resources do States have available to assist with deployment of the nationwide public safety broadband network?

c. How will States include utilities or other interested third parties in their planning activities?

In Nebraska, public utilities are a partner in our public safety network and will be fully engaged in our planning activities.

d. Should NTIA encourage planning for the formation and use of public/private partnerships in the deployment of the nationwide public safety broadband network? If so, how?

6. Section 6206(b)(1)(B) of the Act directs FirstNet to issue open, transparent, and competitive requests for proposals (RFPs) to private sector entities for the purposes of building, operating, and maintaining the network. How can Federal, State, tribal, and local infrastructure get incorporated into this model?

a. How would States plan for this integration?

b. Should States serve as clearinghouses or one-stop shops where entities bidding to build and operate portions of the FirstNet network can obtain access to resources such as towers and backhaul networks? If so, what would be involved in setting up such clearinghouses?

Yes, States should serve as a clearinghouse or one-stop shop for this purpose. Particularly since it does not appear that a state can make a "partial" opt-in/opt-out decision. Most States are not prepared to handle this additional duty and will require time, money and/or resources.

c. Should setting up a clearinghouse be an eligible cost of the grant program?

Yes.

State and Local Implementation Grant Activities
7. What are some of the best practices, if any, from existing telecommunications or public safety grant programs that NTIA should consider adopting for the State and Local Implementation grant program?

8. What type of activities should be allowable under the State and Local Implementation grant program?

9. What types of costs should be eligible for funding under the State and Local Implementation grant program (e.g., personnel, planning meetings, development/upgrades of plans, or assessments)?

a. Should data gathering on current broadband and mobile data infrastructure be considered an allowable cost?

If this data gathering was a requirement of the SBI grant, this data should be available without cost.

b. Should the State and Local Implementation grant program fund any new positions at the State, local, or tribal level that may be needed to support the work to plan for the nationwide public safety broadband network? If so, what, if any, restrictions should NTIA consider placing on the scope of hiring and the type of positions that may be funded under the grant program?

There may be a need to fund positions to support the work to plan for the NPSBN. This should be an authorized expense, but does need a plan for sustainability from the State requesting the funding.

10. What factors should NTIA consider in prioritizing grants for activities that ensure coverage in rural as well as urban areas?

11. Are there best practices used in other telecommunications or public safety grant programs to ensure investments in rural areas that could be used in the State and Local Implementation grant program?

12. In 2009, NTIA launched the State Broadband Initiative (SBI) grant program to facilitate the integration of broadband and information technology into state and local economies.

a. Do States envision SBI state designated entities participating or assisting this new State and Local Implementation grant program?

The data collected under the SBI grant program should be made available and used for this project.

b. How can the SBI state designated entities work with States in planning for the nationwide public safety broadband network?

This could best be accommodated by allowing the Governor the flexibility to require the SBI state designated entity to provide the "single officer" in the State (appointed by the Governor) with the information gathered and any additional information requested from that grant work.

13. What outcomes should be achieved by the State and Local Implementation grant program?

a. Are there data that the States and local jurisdictions should deliver to document the outcomes of the grant program?

b. If so, how should they be measured?

c. Who should collect this information and in what format?

d. What data already exist and what new data could be gathered as part of the program?

14. The U.S. Department of Homeland Security's Office of Emergency Communications (OEC) has developed the following tools through its Technical Assistance Program available at http://www.publicsafetytools.info, including: (1) Mobile Data Usage and Survey Tool—Survey process to document the current-state mobile data environment, in preparation for a migration to LTE; (2) Statewide Broadband Planning Tool—Template and support on Statewide strategic broadband planning issues designed to serve as an addendum to the SCIP; (3) Frequency Mapping Tool—Graphical tool to display FCC license information and locations including cellular sites within a jurisdiction; and (4) Communications Assets Survey and Mapping Tool (CASM)—Data collection and analysis tool for existing land mobile radio assets. Should States be encouraged to utilize tools and support available from Federal programs such as those developed by OEC? Are there other programs or tools that should be considered?

15. Do the States have a preferred methodology for NTIA to use to distribute the grant funds available under the State and Local Implementation grant program?

The methodology adopted should provide each Governor with the maximum flexibility possible to meet their individual State needs.

a. Should NTIA consider allocating the grant funds based on population?

b. What other targeted allocation methods might be appropriate to use?

c. Should NTIA consider phasing the distribution of grant funds in the new program?

State Funding and Performance Requirements
16. What role, if any, should the States' Chief Information Officer (CIO) or Chief Technology Officer (CTO) play in the State and Local Implementation grant program and the required consultations with FirstNet? How will these different positions interact and work with public safety officials under the State and Local Implementation grant program?

In many States, the CIO/CTO already plays an important role in the public safety network. These individuals will also have a key role in the deployment of LTE networks within the State and have the technical knowledge to ensure that the appropriate networking is in place to protect the State infrastructure, as well as connect to important State database information.

17. The Act requires that the Federal share of the cost of activities carried out under the State and Local Implementation grant program not exceed 80 percent and it gives the Assistant Secretary the authority to waive the matching requirement, in whole or in part, if good cause is shown and upon determining that the waiver is in the public interest.7 As NTIA develops the State and Local Implementation grant program, what are some of the factors it should consider regarding States' ability to secure matching funds?

Matching funds will be very difficult for States to acquire. Fund matches should be allowed by in-kind matches and/or through additional grant programs.

18. What public interest factors should NTIA consider when weighing whether to grant a waiver of the matching requirement of State and Local Implementation grant program?

Other
19. Please provide comment on any other issues that NTIA should consider in creating the State and Local Implementation grant program, consistent with the Act's requirements.

Once again, thank you for the opportunity to comment on the State's role in the grant program for the nationwide public safety broadband network.

Sincerely,
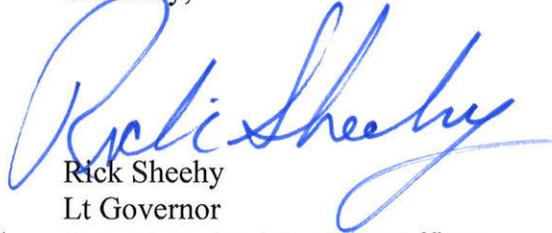
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