



January 14, 2016

Filed Electronically

Mr. Patrick Sullivan
Office of Public Safety Communications
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Re: Notice of Proposed Rulemaking (NPRM); Proposed Scope of NTIA's Authority
Regarding FirstNet Fees
Docket No. 15120999-5999-01

Dear Mr. Sullivan:

The Bay Area Regional Interoperable Communications Systems Authority (BayRICS Authority) appreciates the opportunity to submit comments regarding NTIA's proposed review and approval process of FirstNet fees as required by the Middle Class Tax Relief and Job Creation Act of 2012. We commend the NTIA for developing a thoughtful and straightforward approach to its FirstNet fee review obligations.

NTIA correctly points out that its "role is a relatively limited part of broader statutory provisions designed to monitor FirstNet's financial condition and operational status." BayRICS generally agrees with other commenters that engaging in "a more detailed review of FirstNet's fees would hamper its business ability and agility."

However, BayRICS is concerned about the specific definition of a "fee" that would be subject to NTIA review. A myriad of FirstNet business models have been proposed with a wide variety of different potential revenue streams and fee structures. Until there is more clarity regarding the specific types of revenue FirstNet will collect, especially the specific fee structure incorporated into the public-private partnership model, a full review of these fee rules may be premature.

FirstNet issued its Request for Proposals (RFP) to build the network on January 13, 2016, only one day prior to the closing of the comment period in this NPRM. BayRICS believes that a thorough review of the RFP, may provide more clarity and specificity regarding FirstNet's fee structure, and the sources and types of revenue envisioned.

Therefore, we request that the NTIA extend the comment period or provide an additional opportunity to submit future comments, to allow a reasonable time for parties to review the RFP and submit more informed input on this important matter.

Sincerely,

/s/

Barry Fraser, General Manager
BayRICS Authority