



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: Proposed Scope of NTIA's Authority Regarding FirstNet Fees
Docket No. 15120999-5999-01

Dear Mr. Sullivan:

Thank you for 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.

As NTIA correctly points out, its fee approval role is "relatively limited" with its focus being whether the amount of FirstNet's annual fees are sufficient to cover its total expenses, but not to exceed the amount necessary for FirstNet to carry out its statutory duties. As such, NATOA agrees with NTIA's proposal that it will not make subjective determinations that any network user fees, lease fees, or access or use fees from any network equipment or infrastructure constructed or owned by FirstNet are "reasonable, proportionate, or otherwise subjectively appropriate." NATOA agrees with NASCIO that engaging in "a more detailed review of FirstNet's fees" would negatively impact FirstNet's flexibility to compete in the broader marketplace.

However, it is important to point out that FirstNet just released its Request for Proposal (RFP) to build the network on January 13, 2016. As such, NATOA urges NTIA to keep this proceeding open for additional comments addressing its scope of authority regarding FirstNet fees that may arise in the RFP or consider the issuance of a Further Notice of Proposed Rulemaking on these issues upon the selection of a proposal later this year.

Sincerely submitted,

A handwritten signature in black ink, appearing to read "Stephen Traylor", is written in a cursive style.

Stephen Traylor
Executive Director