

**National Telecommunications and Information Administration (NTIA)
Office of Public Safety Communications (OPSC)
SAPP Opt-Out Process Presentation Script**

INTRODUCTION

The National Telecommunications and Information Administration (NTIA) presents this brief overview of the state opt-out process.

Image	Description
NTIA Logo	None
Presentation Title	Handwritten “Overview of the State Opt-Out Process”

The Middle Class Tax Relief and Job Creation Act of 2012 directed NTIA to establish a program to review applications for spectrum leasing rights and Radio Access Network construction funds for any state seeking to “opt-out” of FirstNet’s plan for deployment of the Nationwide Public Safety Broadband Network within its boundaries.

Image	Description
Book Icon 1	Titled “Middle Class Tax Relief and Job Creation Act of 2012”
NTIA Logo	None
Paper Icon 1	Titled “Spectrum Leasing Rights”
Paper Icon 2	Titled “RAN Construction Funds”
State Capital Building Icon	Titled “State”
Opt-In / Opt-Out Sign Icon	Two arrow-shaped signs pointing in different directions, one labeled “opt-in” and the other labeled “opt-out”

NTIA’s grant program is called the State Alternative Plan Program, or SAPP. By opting-out, a state is seeking permission to deploy its own RAN, which must connect to and interoperate with the nationwide network. This presentation describes the multi-step process for opting out of FirstNet’s deployment plan.

Image	Description
SAPP Logo	None
Map of the United States	Labeled “FirstNet”
Blue Pin	Pinned in the center of the United States map, representing the State’s RAN
12 Red Pins	Pinned in various locations on the United States map, representing the FirstNet RAN
SAPP Process Checklist	Checklist with the following steps listed: <input checked="" type="checkbox"/> FirstNet State Plans Grant Guidance Delivered to States <input checked="" type="checkbox"/> Governor opt-in/opt-out decision <input checked="" type="checkbox"/> State Alternative State Plan delivered to FCC <input checked="" type="checkbox"/> FCC Decision <input checked="" type="checkbox"/> State Grant Application to NTIA <input checked="" type="checkbox"/> NTIA Decision

Image	Description
	<input checked="" type="checkbox"/> SCLA Execution with FirstNet <input checked="" type="checkbox"/> Construction

Step One: DAY ONE

The state decision-making clock starts when FirstNet provides its State Plans to the Governors of each state or territory. In support of state decision-making for opt-in/opt-out, NTIA will also release grant guidance.

Image	Description
Section Title	Handwritten “Step 1: Day One”
Book Icon 2	Titled “FirstNet State Plan”
State Capital Building Icon	Titled “State”
Book Icon 3	Titled “NTIA SAPP Grant Guidance”

Step 2: DAY 90

The Governor has 90 days to make an opt-in/opt-out decision using the information provided by FirstNet, NTIA, and the state’s own consultation process.

Image	Description
Section Title	Handwritten “Step 2: Day 90”
State’s Consultation Process	Laptop computer, spiral notebook, police car, flame, ambulance

If the state opts-in it is electing to have FirstNet construct and operate the state RAN according to its Plan.

Image	Description
Section Title	Handwritten “Opt-In FirstNet Begins Construction”
Map with radio towers	Blinking transmitting radio signals

Step 3: DAY 270

If a state opts-out, however, the state will have 180 days to complete a Request for Proposal. Further, the state must submit an alternative plan for deployment and operation of its RAN to the FCC. The FCC will approve this plan if it determines: that the plan complies with technical interoperability requirements under the FCC’s Interoperability Board; and that the state RAN can interoperate with the nationwide network.

Image	Description
Section Title	Handwritten “Step 3: 180 days (Day 270)”
Paper Icon 3	Titled “Request for Proposals” and surrounded by falling papers
Book Icon 4	Titled “Alternative State Plan”

Step 4: FCC REVIEW

Upon completion of its interoperability review, the FCC will approve or disapprove the state’s alternative RAN plan. If the FCC does not approve that plan, the Act directs that the deployment of the state’s RAN will revert to the plan proposed by FirstNet.

Image	Description
Section Title	Handwritten “Step 4: FCC Review”
FCC Logo	None
Handwritten Words	Handwritten “Technical interoperability requirements”
Handwritten Words	Handwritten “State RAN interoperates with the nationwide network”
Red Stoplight	Stoplight with the red light illuminated, labeled “Disapproval: Revert to plan proposed by FirstNet”
Radio towers	Blinking transmitting radio signals

Step 5: +90 DAYS

If the FCC approves a state’s alternative RAN plan, that state must apply within 90 days to NTIA for the right to enter into a spectrum lease with FirstNet and for optional RAN Construction Funds.

Image	Description
Section Title	Handwritten “Step 5: +90 Days (Post FCC Approval)”
Green Stoplight	Stoplight with the green light illuminated, labeled “FCC Approves”
NTIA logo	None
Paper Icon 1	Titled “Spectrum Lease”
Paper Icon 2	Titled “RAN Construction Funds”

Step 6: NTIA REVIEW

NTIA will review applications to assess whether a state has met the demonstration criteria set out by the Act. NTIA’s review evaluates: the technical capability of the state and the sufficiency of its funding to support the network, its ability to maintain ongoing interoperability with the nationwide network; its ability to construct its RAN within timelines comparable to FirstNet’s proposed plan; the cost effectiveness of the state’s alternative RAN plan; and whether its plan provides security, coverage, and quality of service comparable to that in FirstNet’s proposed plan.

If the state is also applying for RAN construction funds, NTIA will conduct additional reviews related to project scope and project budget.

If NTIA disapproves the state’s application, the state will need to enter into discussions with FirstNet regarding how and when the RAN will be built in that state, since the Act does not specify that FirstNet must build that state’s RAN as initially proposed.

Image	Description
Section Title	Handwritten “Step 6: NTIA Review”
Demonstration Criteria	Handwritten “Demonstration Criteria” “Technical Capability” “Funding to

	Support” “Ongoing Interoperability” “Comparable Timeline” “Cost Effectiveness” and “Comparable Security, Coverage, and Quality of Service”
Paper Icon 4	Titled “Construction Fund Project Description”
Paper Icon 5	Titled “Construction Fund Budget”
Paper Icon 6	Titled “Construction Fund Milestones”
Red Stoplight	Stoplight with the red light illuminated, labeled “NTIA Disapproval”
Figures in Conversation	Two figures in conversation representing the State and FirstNet

Step 7: SPECTRUM LEASE EXECUTION

Once a state has received NTIA approval, the state and FirstNet must execute a spectrum lease, which will allow the state to operate its RAN using FirstNet’s Band 14 spectrum before the state receives any approved RAN construction funds.

Image	Description
Section Title	Handwritten “Step 7: Spectrum Lease Execution”
Paper Icon 7	Titled “Spectrum Lease”
Map with radio towers	Blinking transmitting radio signals

Step 8: STATE BEGINS RAN CONSTRUCTION

Successful completion of all steps will allow the state to build, operate, maintain, and improve their own RAN as part of the nationwide network, in accordance with FirstNet detailed network policies and its spectrum lease.

Image	Description
Section Title	Handwritten “Step 8: Opt-Out Process Complete”
Trucks	With moving wheels
Map with radio towers	Blinking transmitting radio signals

For additional information related to the program please visit our website at www.ntia.doc.gov/sapp.

Image	Description
SAPP Logo	None