

**Minutes of the  
U.S. Department of Commerce  
Commerce Spectrum Management Advisory Committee  
September 19, 2008**

***Meeting Date and Time:***

September 19, 2008; 9:30 a.m.

***Location:***

Herbert C. Hoover Department of Commerce Building  
1401 Constitution Avenue N.W.  
Room 5855 (Secretary's Conference Room)  
Washington, DC 20230

***Committee Members in Attendance:***

Dale N. Hatfield (Co-Chair); Bryan Tramont (Co-Chair); Dr. David Borth; Mark E. Crosby; James B. Goldstein; Dr. Kevin C. Kahn; Hilda Legg; Dr. James Andrew Lewis; Mark McHenry; Darrin Mylet; Janice Obuchowski; Robert Pepper; Gerard Salemmme; Mark Tucker; Martin Cooper (by phone); Robert M. Guss (by phone); John Hoadley (by phone); Jennifer Warren (by phone)

***NTIA Staff:***

Meredith Attwell Baker, Acting Assistant Secretary for Communications and Information  
Karl Nebbia, Associate Administrator, Office of Spectrum Management  
Eric Stark, Associate Administrator, Office of Policy Analysis and Development and Designated Federal Officer  
Joseph L. Gattuso, Committee Liaison

***Public Attendance:***

Members of the public attended the meeting.

***Meeting Agenda:***

**Call to Order**

Co-Chair Bryan Tramont called the meeting to order.

**1. Remarks by Acting Assistant Secretary Baker**

Acting Assistant Secretary Meredith Attwell Baker (A/S Baker) said the Secretary sent his regards and gratitude for members' participation. She thanked the CSMAC members for their attendance, and particularly members participating on the phone. A/S Baker noted how active the committee had been and how important it was, and said that she was grateful for members' participation. She said that NTIA will be considering reappointments in the coming months and

has published a Federal Register notice seeking new applicants, with the application process open through September 26. A/S Baker said that the CSMAC may meet once more before the end of its term, possibly once in December. She also invited comments and suggestions on how the committee can improve.

## **2. Subcommittee and Working Group Reports**

### **a) Adoption of a Report from the Subcommittee on Operational Efficiencies (Dr. James Lewis)**

Dr. Lewis said that his committee first presented its paper in November 2007. It had two sets of recommendations: that the CSMAC explore how to improve sharing of spectrum and that it look at market mechanisms, including fees. There was discussion by committee members about process and on the issues of market mechanisms and fees. Co-Chair Tramont noted that when this subcommittee started its work in December 2006 there were two subcommittees, each was going to produce a report the following May, but formal adoption was delayed. This subcommittee was given follow-on work, he said, after a de facto adoption. The report was designed to be the foundation of the work that came next; it was to contain the recommendations on sharing, about which there have been subsequent reports, and fees, which other subcommittees have already started to explore in more depth. Co-Chair Hatfield said he wanted to bring this to closure with a work that would set the stage for the next committee to consider moving forward.

Co-Chair Tramont said that the action would be to recommend that NTIA begin developing a new management structure for federal spectrum that includes improved sharing arrangements and economic incentives including fees. In addition, the CSMAC would recommend that, as part of its next charter, the CSMAC examine economic incentives including fees, as a way to improve economic efficiency.

After being moved and seconded the members voted to approve the proposal. Janice Obuchowski and Jennifer Warren each said they would like to review the text of the report when made final.

### **b) Adoption of a Report from Working Group 1, Spectrum Efficiency Task (Dr. Kevin Kahn)**

Dr. Kahn presented the subcommittee's draft report, which he said attempts to create a definition of efficiency or a context in which to discuss efficiency across other committee reports. He thanked Bob Matheson, formerly of NTIA, and Co-Chair Hatfield, for their contributions.

Dr. Kahn said that efficiency comes in different types and is most often thought of as a fraction. He said technical efficiency relates quantities relative to a purist's notion of bits on the air, but one could also think of operational efficiency, such as an extremely efficient land mobile system with few users. He said there are three different categories of efficiency: technical efficiency, operational efficiency, and allocational efficiency. The subcommittee decided early, he added,

that a broad brush definition would not work given the grossly different kinds of use in the spectrum. Instead, the subcommittee divided the problem into a taxonomy of use within "like-minded systems."

There was discussion among members on matters including passive listeners and latency in satellite transmissions. Dr. Kahn agreed to accept editorial changes from committee members, with members submitting changes within two weeks after the meeting and Dr. Kahn producing a final report by approximately October 1.

**c) Adoption of a Report from Working Group 2, Streamlining Federal/non-Federal Sharing (Robert Gurss and Mark Crosby)**

Mr. Gurss presented the subcommittee's draft report which recommends methods by which the NTIA and the FCC may encourage and streamline effective spectrum sharing through shared systems by federal and non-federal entities. He said that while there is somewhat of a land mobile focus in certain parts of the report, many others would apply more broadly. He said he did not believe there had been significant changes since the last time the draft was discussed, and also that there had been some give and take on issues involving identification of spectrum sharing, which were resolved. Specifically, Mr. Gurss recommended identifying a clear context for identifying potential sharing spectrum, creating a centralized point for all inquiries of potential sharing opportunities, tracking mechanisms for requests as a means of streamlining the application process, as well as development of a template which can be used to simplify the process and provide realistic expectations of opportunities for federal entities to reclaim spectrum. He noted also that he added a summary of recommendations. Mark Crosby added that organizing administrative processes could potentially promote and achieve the greater federal and non-federal sharing.

After being moved and seconded the members voted to accept the report with editorial privileges.

**d) Adoption of a Report from Working Group 4, Transition of Federal Land Mobile Radio Systems to Increase Spectrum Efficiency (John Hoadley)**

Mr. Hoadley presented the group's report. He thanked members for their contributions. He said that he would talk to members about points that had come up, and that he would work with the key contributors on a summary of recommendations. Mr. Hoadley identified sections where members had made comments and suggestions. He expressed the goals of incorporating all of the edits and getting the next draft out by the first week of October. Co-Chairs Tramont and Hatfield asked if the report could be adopted at this meeting with editorial privileges. Jennifer Warren commented that her edits to section 6 were in three categories: to focus on LMR, terminology changes, and to substantive edits regarding the description of fees. Jennifer Warren also raised the question of whether there should be a discussion of incentives in the paper. After discussion, the members agreed that the paper would say that the issue of incentives was being addressed in more detail elsewhere as follow-on work for the Subcommittee on Operational Efficiencies.

With that agreement, it was moved and seconded, and the committee voted to accept the report with editorial privileges.

**e) Status Update from Working Group 5, Implementation of OMB Circular A-11 (Janice Obuchowski)**

Ms. Obuchowski gave a status report on the drafting of the report on implementation of the OMB circular A-11. Ms. Obuchowski said that the group has made substantial progress in understanding where the various agencies are in seeking to apply an economic approach to their decision making. She noted that the group had interviewed federal agencies, with one more scheduled, and had generated a document that reflects the considerations that come to the table. The group, she said, had agreed that there be a statement of principles articulated through OMB's A-11 circular including that a case-by-case approach be used to study how A-11 is implemented. Obuchowski said that the group disagreed on how to value the spectrum, with two specific issues: how to put an economic value on commercial spectrum, and whether there is a role for the broader value of spectrum, and that the group would tee up these issues for the next chartered working group.

Ms. Obuchowski said that this group would have one more drafting session, would obtain feedback and that she hoped to bring the report to a vote at the December meeting, with a copy going out to everybody in advance that highlights areas of commonality and difference.

**3. Status Update on Transition Report (Co-Chairs Dale Hatfield and Bryan Tramont)**

Co-Chair Tramont referred to the brief outline of the status report provided to members, which contains the issues that Co-Chair Hatfield and he intend to cover as part of ~~a~~ their transition report to the next CSMAC. He said the majority of time would be spent on NTIA implementation, followed by a detailed description of the CSMAC's work and reports, with finally a section on recommendations. He encouraged members to propose ideas for the report. He added that their goal is to produce final recommendations that they would put into the report for adoption at the December meeting.

**4. Date and Place of Next Meeting**

After discussion, co-chair Tramont and the members present agreed to schedule the next CSMAC meeting for the morning of Thursday, December 4<sup>th</sup> in Washington, DC.

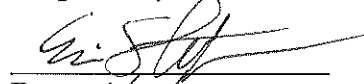
**5. Public Comment Period**

The floor was opened to public comment. No comments were made.

**6. Adjournment**

Co-Chair Tramont thanked the members for attending whereupon the meeting was adjourned.

Respectfully submitted,



Date: 4/18/08

Eric Stark

Designated Federal Officer

I hereby certify that these minutes of the September 19, 2008 Commerce Spectrum Management Advisory Committee are true and correct to the best of my knowledge.

\_\_\_\_\_  
Date:

Dale N. Hatfield

Co-Chair

\_\_\_\_\_  
Date:

Bryan Tramont

Co-Chair