

**Minutes of the
U.S. Department of Commerce
Commerce Spectrum Management Advisory Committee
December 6, 2007**

Meeting Date and Time:

December 6, 2007, 1:30 p.m.

Location:

Herbert C. Hoover Department of Commerce Building
1401 Constitution Ave. NW, Room 4830
Washington, DC 20230

Committee Members in Attendance:

Dale N. Hatfield (Chair); Dr. David E. Borth; Martin Cooper; Mark E. Crosby; Robert M. Gurs; John Hoadley; Dr. Kevin Kahn; Hilda Legg; James Lewis; Darrin M. Mylet; Janice Obuchowski; Dr. Robert Pepper; R. Gerard Salemme; Bryan Tramont; Mark Tucker; Jennifer Warren.

NTIA Staff:

Meredith 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
Joe Gattuso, Senior Policy Advisor
(Additional NTIA staff also observed the meeting)

Public Attendance:

Approximately 10 members of the public and press were present at the meeting.

Meeting Agenda:

The meeting followed the issues presented in the meeting agenda.

1. Call to Order: Chairman Hatfield called the meeting to order at 1:43 p.m. and welcomed attendees.

2. Introduction of Acting Assistant Secretary Baker: Chairman Hatfield introduced Acting Assistant Secretary for Communications and Information Meredith Baker, who gave welcoming

remarks. Acting Assistant Secretary Baker said that the centerpiece of the meeting would be discussion of the next issues. She announced that related to one of the issues, NTIA was releasing its latest report, the “Assessment of Alternative Future Federal Land Mobile Radio Systems.”

3. *Presentation of Committee Test Bed Report:* Chairman Hatfield formally transmitted a Committee report, “Opportunities Relating to the Spectrum Sharing Test Bed” to Acting Assistant Secretary Baker. He noted that the committee had conveyed the results of the report verbally at the previous meeting and that final report reflected editorial changes but not changes to the substance of the recommendations.

4. *Chairman’s Status Report and Consideration of Subcommittee and Working Group Reports:* Chairman Hatfield provided an update on the Committee’s work looking at OMB Circular A-11, identifying progress and expressing plans for more definitive comments by the next meeting.

Chairman Hatfield turned to Bryan Tramont, chair of the Technical Efficiency Subcommittee, and John Hoadley, chair of the subcommittee’s Working Group 4, who presented the working group’s draft interim report, “Opportunities for Government Adoption of Commercial Technologies.”

Mr. Hoadley thanked those who contributed to and commented on the reports. He then explained the written report, noting the specific contributions of members and organizations, addressing questions and comments from members. He noted the key themes of the report cover two avenues of government adoption of commercial technology, one being when a commercial service meets the users’ requirements and another where commercial systems are not available but there are common requirements. After discussion among the members pertaining to specific information and recommendations of the report, Chairman Hatfield stated that the report could be finished and formally submitted to NTIA at the next meeting.

Chairman Hatfield turned to James Lewis, chair of the Operational Efficiency Subcommittee. Mr. Lewis thanked those who submitted comments on subcommittee’s draft report and offered to walk through it and the subcommittee’s three recommendations: 1) that NTIA consider ways to increase transparency in spectrum use by federal agencies; 2) that NTIA consider how to reduce transaction costs in sharing arrangements, and 3) that NTIA use OMB circular A-11 to consider moving towards administrative incentive pricing (AIP). In his review, Mr. Lewis noted problems with expanded sharing and said that NTIA might want to consider developing model protocols to reduce uncertainty and model agreements to reduce transactions costs. He said that AIP is used in several countries including the U.K. and that the U.S. has considered AIP previously, including a 1991 NTIA report. He also noted the requirements of OMB Circular A-11 regarding valuation of spectrum. After discussion among the members regarding the issues presented, Chairman Hatfield suggested coming up with a revised statement of work regarding the Committee’s OMB Circular A-11 work and combine it with the work of this subcommittee to create a new statement of work to be approved at the Committee’s next meeting.

New Committee Issues: Chairman Hatfield turned to Acting Assistant Secretary Baker to discuss the Committee's new tasks. After introductory statements, Acting Assistant Secretary Baker turned the discussion over to Karl Nebbia to describe the three projects.

a. Improving the Process of Identifying Future Reallocations

NTIA asks the CSMAC for policy advice on how to improve the process of identifying spectrum for future reallocation of incumbents (federal or non-federal) and what, if any changes NTIA should consider to improve the existing processes for spectrum reallocation. The CSMAC may, for example, review major reallocation proceedings of the past, develop conclusions as to what worked and what has not, and develop recommendations on actions for NTIA and the FCC to take to accommodate growth and changing spectrum demands.

In the discussion, Mr. Nebbia said that NTIA is asking the question, "How do we know when a reallocation is needed?" Mr. Nebbia recounted previous reallocations and said that they were not necessarily smooth. He said NTIA wants to be as open as possible and is not only putting on the hat of federal spectrum manager but also to give the President advice. He noted that the Commercial Spectrum Enhancement Act has been useful in a government to non-federal switchover, but there are other, broader, approaches. He also noted that that the spectrum to be reallocated need not be federal but could be non-federal.

b. Transitioning Federal Land Mobile Radio Systems to Increase Efficiency

For this item, NTIA requests the CSMAC's policy advice on how to make a realistic transition for land mobile radio (LMR) systems to improve efficiency and to recommend changes in its rules or procedures. The CSMAC may review recent NTIA reports on LMR and recommend how to transition federal users to more spectrally efficient technologies over time.

Mr. Nebbia noted that NTIA was releasing a fourth in a series of reports and that taken together they show conclusively that trunked systems use less spectrum than conventional systems. These reports analyze levels of federal spectrum use in the 162 to 174 MHz band specifically and also look at interference algorithms. They provide examples that show there could be spectrum savings on the federal side, and the critical point is, if there are spectrum efficiencies to be achieved, how to bring about a transition over time.

c. Streamlining Federal/Non-Federal Sharing of Radio Systems

In this third area, NTIA requests policy advice from the CSMAC on how to streamline federal/non-federal sharing and to reduce regulatory hurdles in doing so. NTIA also asks whether allotments generally serve to increase or decrease spectrum efficiency and whether and how to encourage additional sharing.

Mr. Nebbia observed that sharing can be a painful experience, and that NTIA is looking for ways to improve it. Some agencies, he said, are asking how to share with

state and local groups and how to make the experience easier. He cited examples of where an agency and a state or local organization have come in together for an assignment and where an agency has asked to build a new system that would be built and operated by a contractor. NTIA is looking to this Committee, he said, to consider shared systems, shared capability, and traditional sharing, with creative ways to make this happen and to break down regulatory barriers.

5. *Date and Place of Next Meeting:* Chairman Hatfield proposed scheduling the date and place of the next meeting. After discussion and with no objection, the Chairman stated that the next meeting would be on February 8, 2008, in Boulder, Colorado.

6. *Public Comment Period:* Chairman Hatfield asked if anyone from the public had comments, and there were none.

7. *Adjournment:* Acting Assistant Secretary Baker and Chairman Hatfield thanked the staff and thanked everyone for attending. Chairman Hatfield adjourned the meeting at 3:56 p.m.

Respectfully submitted,

Date:

Eric Stark
Designated Federal Officer

I hereby certify that these minutes of the December 6, 2007 Commerce Spectrum Management Advisory Committee are true and correct to the best of my knowledge.

Date:
Dale N. Hatfield
Chair