To: **Bay Area UASI Approval Authority**

From: Barry Fraser, Interim General Manager BayRICS Authority

Date: June 14, 2012

RE: Item #12:   BayRICS Authority Report

REPORT

1. <u>BayRICS Administration</u>

At the June 7 BayRICS Authority meeting, the BayRICS Board is scheduled to adopt guiding principles and a final budget and annual fee schedule for members. The Board will also hear presentations regarding collaboration with American Tower Corporation and CENIC. Member fee invoices have been distributed with a reminder the annual fees are due July 1, 2012.

2. <u>Site Status</u>

Staff continues to work with Motorola and site owning jurisdictions to finalize the site configuration for BayWEB. The Livermore City Council is scheduled to consider a Site Access and Use Agreement at its June 25, 2012 meeting. Although the May 31, 2012 deadline for substitution of sites in the BOOM agreement has passed, Motorola and BayRICS will continue to review and may approve, on a case by case basis, substitution and addition requests.

Several members are proceeding to conduct zoning reviews and other tasks necessary to prepare sites for remediation. Staff and Motorola anticipate that some sites will be available to begin remediation work within the next three months.

BayRICS staff continues to work with T-Mobile and American Tower Corporation (ATC) to review potential sites with the goal of filling gaps in the current site configuration or expanding service to new locations.

In addition, staff has discussed several potential opportunities for both the Authority and its members. ATC will provide additional information as part of a presentation at the June BayRICS Board meeting.

Site Electric Utility Costs: Staff has begun preliminary research into a proposed plan to recover some costs of electricity usage incurred by site-owning members. However, this research has taken a lower priority pending further direction from the NTIA on the partial grant suspension.

3. Fiber and Backhaul

Microwave Frequencies Coordination. The microwave links required to connect many wireless sites with the backhaul network require a number of microwave spectrum licenses. Staff is working with Motorola to complete the license application process.

BART. A fiber and site access and use agreement has been reviewed by Motorola and several additional concerns are being addressed. Staff intends to bring both agreements to the BayRICS Board as soon as possible.

BayLoop. The Technical Advisory Committee (TAC) and BayLoop Working Group have taken the initial steps to implement the plan for system maintenance and monitoring for BayLoop facilities adopted by the BayRICS Board. Additional information will be provided by TAC at the June BayRICS Board meeting.

San Francisco Fiber and Evolved Packet Core (EPC). Staff continues to discuss fiber and core use agreement with representatives of the City and County of San Francisco to allow fiber connectivity to the enhanced packet core (EPC) to be located at Twin Peaks in San Francisco. Staff anticipates completing a proposed fiber agreement between San Francisco and BayRICS in the next few months.

CENIC. Staff continues to work with CENIC regarding use of their network and has proposed a high-level agreement with CENIC to support this collaboration. More information will be provided as part of a presentation at the June BayRICS Board meeting.

4. <u>Regional and State Planning</u>

Staff from BayRICS and the Los Angeles Regional Interoperable Communications System Authority (LA-RICS) met with staff from the California Technology Office and Cal-EMA to develop planning and governance for FirstNet. We discussed a number of options for state-wide governance, organization, and the respective roles of the two state agencies and the JPAs. We scheduled another meeting in two weeks to work on a list of stakeholders that should participate in FirstNet governance.

The group also spent some time brainstorming on responses to the NTIA's planning grant RFI, which is due by June 15. There seemed to be many areas of agreement on these responses, and we intend to share drafts soon. Director Wong will provide more information about the State's planning activities in a separate Agenda item. BayRICS member jurisdictions are encouraged to submit their suggestions to staff regarding membership and composition of the State's governance group.

Staff continues to meet with representatives of the Sacramento Region to discuss potential expansion of BayWEB to the Sacramento area and the TAC has begun a review of the technical considerations of system expansion. The TAC will provide an update at the June BayRICS Board meeting.

5. <u>Billing and End User Support Functions</u>

Staff, with input from Motorola, has developed an estimating tool for projecting resources needed to support system administration, billing and end user support functions for BayWEB.   There is nothing additional to report this month as Motorola and BayRICS Staff await further direction from the NTIA on the partial grant suspension.

6. <u>700MHz Spectrum Waiver and Spectrum Act Update</u>
    a. Waver Petition Update

BayRICS staff and attorneys conducted a conference call with FCC staff to provide additional information and answer questions regarding the transition the Bay Area's 700 MHz spectrum rights and pending waiver petition. Due to the important need for FCC action to maintain spectrum rights, BayRICS Chair has approved BayRICS Interim General Manager Barry Fraser for travel to Washington DC on June 13-14 to meet with FCC staff and new Public Safety and Homeland Security Bureau Chief David Turetsky and the two new FCC Commissioners to ensure that the Commission has the information necessary to make a decision.

      b.   Spectrum Act Update

Interoperability Recommendations: The Technical Advisory Board for First Responder Interoperability released recommendations for minimum technical requirements for FirstNet on May 22, 2012. BayRICS submitted brief comments as part of a limited comment period established by the FCC with a deadline of May 31, 2012. The FCC has until June 21 to take action on the recommendations.

NTIA Partial Suspension Request: On May 11, 2012, the NTIA issued letters of partial suspension to Motorola and the seven other BTOP public safety grantees.

NTIA also issued a "FAQ" on the suspensions, as a list of "Low Risk" Activities that may continue under the partial suspension. As Staff reported at the April Authority meeting, the NTIA has proposed a temporary, partial suspension of grant funding allocated specifically for LTE equipment (core servers, eNodeB antenna and equipment, end user devices), to give the FirstNet Board time to consider technology design and solutions. The NTIA continues to express commitment to preserving BTOP grant money for public safety and keeping the money in the current jurisdictions. NTIA will take steps to extend the grant deadlines for public safety grants. NTIA did not specify the length of the suspension.

NTIA has urged grantees to continue to pursue and spend grant funds on site and backhaul acquisition and remediation. BayRICS staff and Motorola continue to focus on site acquisition, evaluation and preparation, and on backhaul development. We have been encouraged to continue to prepare the sites and backhaul and be ready to install equipment as soon as the NTIA lifts this suspension.

On May 31, 2012, Motorola submitted a response letter to the NTIA, which states, in part, that Motorola is "prepared to offer indemnification to NTIA or any respective public safety agency for any equipment currently deployed or planning to be deployed for any FCC waiver or BTOP grant recipient if the equipment is determined not to be interoperable with the nationwide FirstNet system."JPA staff is actively monitoring the status of the NTIA request and the roll-out of FirstNet governance, planning and standards, and will keep members informed about the impact of FirstNet on BayWEB as more details become available. In addition, BayRICS Chair sent a letter to Representative Greg Walden, Chair of the House Subcommittee on Communications and Technology related to statements made in a May 16, 2012 hearing on Broadband Loans and Grants.

NTIA Planning Grants Request for Information (RFI). On May 16, 2012 the NTIA published a series of questions seeking information about how to structure the $135 million in grants for FirstNet planning and implementation. BayRICS Staff is coordinating efforts with LA-RICS, the State and the waiver recipients working group to develop responses to the RFI. Staff encourages members to review the RFI questions and provide recommendations to BayRICS staff or to submit separate responses. RFI responses are due via email to the NTIA no later than 2:00 PM PDT on June 15, 2012.

FirstNet Board Nominations: Mayor Lee of San Francisco has nominated BayRICS Director Anne Kronenberg for a position on the yet-to-be-formed FirstNet Board. The BayRICS Chair sent a letter in support of the nomination.

In addition to Director Kronenberg, staff has learned that Director Karen Wong and Bill McCammon have also been nominated. The nomination period closed on May 25, 2012. Under the Spectrum Act, the FirstNet Board must be established by mid-August.

PSST Owner-Operator Committee/Waiver Recipient Working Group (OAC). Staff and TAC members participate in weekly conference calls of the OAC, in which the twenty-one cities, regions, and states who are authorized by the FCC to build public safety wireless broadband networks discuss policy and technical issues that require common solutions among all waiver recipients. The OAC continues to develop outreach and supporting materials to guide the FCC on the successful transition of the waiver recipients' spectrum rights and respond to the NTIA's proposal to suspend BTOP grant funding for purchase of LTE equipment. The OAC also has formed a working group to draft responses to the NTIA Planning and Implementation Grant RFI, which includes BayRICS staff.