**Update on the Use of Government Assets for the NPSBN**

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Ever since the development of a Nationwide Public Safety Broadband Network (NPSBN) was envisioned, industry experts and public safety officials anticipated that state and locally-owned assets, in the form of tower sites, buildings and backhaul, would be a significant component of the network. While it is recognized that the use of government owned assets alone would not be sufficient to provide robust broadband coverage, there will certainly be significant benefits associated with the incorporation of these assets into the NPSBN. Obviously, the local agencies would already be familiar with these sites and are already working to maintain them. Additionally, existing public safety sites have been developed for public safety use and are therefore more reliable and resilient (hardened) than a typical commercial use site. Furthermore, incorporation of these assets into the NPSBN would give state and local agencies a feeling of ownership in the network and would likely lead to a higher level of adoption.

However, the process for the states to incorporate public safety sites into the NPSBN is currently unclear. Recent events indicate that FirstNet is shying away from the use of government-owned assets for the development of the NPSBN; at least during the early deployment. FirstNet’s experience with the Los Angeles Regional Interoperable Communications System (LA-RICS) early builder project has completely changed their approach to government-owned assets. A key component of the LA-RICS deployment plan had been to leverage existing government-owned property; for example, city and county fire stations. But deploying the sites has not proceeded as planned based on objections raised by local residents and unions, resulting in some suburban jurisdictions refusing to let LA-RICS build on their property. As a result, the project has been delayed significantly.

FirstNet’s current approach to the use of government-owned assets is to delay their consideration for the network and to possibly not use them at all. Prior to this change in direction, a major portion of every state’s planning effort for the NPSBN was to be dedicated to identifying and assessing government-owned assets. However, this portion of the planning effort has been completely eliminated and the funding will be used for other planning activities.

The most discouraging fact is that NTIA, the administrator of the planning grant, will not allow any jurisdictions to use grant funding to perform site evaluations. This activity is not allowed, even in areas where a state knows there will be difficulty providing coverage with only commercial sites. FirstNet and NTIA’s approach is to exclude any evaluation of government-owned assets until such time as the selected respondent to the FirstNet network RFP indicates where coverage gaps exist. In her recent testimony at a congressional hearing, FirstNet Chairwoman Sue Swenson explained the difficulties with the LA-RICS project, and their new approach:

“That doesn’t mean we won’t do it [utilize government-owned assets],” Swenson said. “But what will happen is that, once the awards—or award, depending on how many partners we have—are given, then we will look at the existing infrastructure with the partners to say, ‘What does the existing footprint look like, and what can we augment?’

“Then, it [utilizing government-owned assets] becomes an augmentation strategy, not a primary strategy, as I look at it.”

While this approach appears logical and is one way of preventing unnecessary effort, it also seems to overlook other key considerations. For example, as explained earlier, the use of government-owned assets is preferred over commercial assets due to hardening standards and a likely preference from the potential NPSBN users. Additionally, if the evaluation of potentially useful government-owned assets does not occur until much later in the process, and NTIA does not allow states to plan for that activity, the states may have exhausted their grant funding when the need does occur. Where would the funding come from at that point? Furthermore, FirstNet has encouraged states to work with potential network partners and include government-owned assets in the network RFP responses. While this is a potential approach, NTIA will not allow assessments of facilities under the SLIGP grant, and therefore, the state would have to find a vendor to take on the expense of site assessments or pay for the assessment of assets using alternative funding.

While the events concerning the assets planned for the LA-RICS system is very discouraging, it seems premature to revise a major portion of the planning effort for the NPSBN based on this single project. FirstNet has expressed concern over the prospect of negotiating potentially thousands of agreements with many different agencies in order to use government-owned assets. While this does sound daunting, there may in fact be areas where states already have agreements with local agencies for the use of their facilities or the state themselves can provide direct access to dozens of facilities. In these cases, the site acquisition process would be much smoother than the situation encountered in LA-RICS.

It would seem reasonable to allow individual states to develop their own plan and to justify the need and benefit of using government-owned assets and to allow the use of grant funding for site assessments, where a legitimate case can be established. However, unfortunately, this does not appear to be the direction in which the process is headed at this time.