



**During the 16th anniversary year of 9/11,  
Governor Malloy has a decision to opt/in or opt/out of FirstNet**

**September 11, 2017**

On the 16th anniversary of 9/11, it is timely to revisit the First Responder Network Authority (FirstNet), an effort by the federal government in cooperation with each of the 56 state/territory of the US to create a national public safety broadband network to ensure nationwide interoperability of wireless devices. First responders need their own network because in true calamities, such as 9/11, the Boston Marathon bombing, or Hurricanes Harvey or Irma, consumer bandwidth is often overwhelmed by civilian calls and photos, blocking or dropping public safety cellular use. FirstNet will provide priority for designated public safety officials, curtailing consumer use of the network, thus allowing preference access for designated users to get bandwidth priority in an emergency.

OCC has helped represent the state of Connecticut on FirstNet since the project was established in 2012 and thanks in part to OCC's expertise in broadband and federal grant writing, Connecticut was named one of the first five states to receive federal FirstNet funding. See "[Public Safety Transitions to FirstNet](#)" by Broadband Policy Coordinator Bill Vallee in the March/April 2014 edition of Broadband Communities. OCC continues to be active in this effort as FirstNet reaches a critical decision stage in the project, continuing our ongoing work with the FCC and the National Telecommunications and Information Administration (NTIA), both of which have roles in approvals and coordinating the FirstNet broadband system. In the last few months since FirstNet signed an exclusive contract earlier in 2017 with AT&T, OCC has worked with the many diverse members of the state's telecom providers, EMS, police, fire, and military to carefully examine and critique the custom draft State Plan outlining how the FirstNet network will be deployed in this state. The group has briefed Governor Malloy who will presently make the decision whether to opt-in to FirstNet, or not.

The FirstNet project will take many years to complete, but like all great infrastructure projects in U.S. history, such as the Transcontinental Railroad, the Interstate Highway System, and the Race-to-the-Moon program, only by working together can such a public/private partnership be created to make this a successful national broadband project for decades to come. The 9/11 Commission spent 20 months investigating the 9/11 attacks and issued its Report in July 2004, making 41 recommendations, of which FirstNet is the last to be addressed. The 9/11 Commission declared that the inability of first responders to communicate with each other on demand was a critical failure on 9/11. Incompatible and inadequate communications led to needless loss of life. To remedy this failure, the Commission recommended legislation to

provide for the expedited and increased assignment of radio spectrum for public safety purposes.

FirstNet and AT&T will deploy, maintain and operate the state/territory Radio Access Network (RAN) at no cost to the state for 25 years. Once a state/territory opts in, FirstNet services will be available to public safety agencies and personnel in that state or territory. Both AT&T and FirstNet have committed significant resources to improve communications among first responders and members of the public safety community. With an opt-in decision, FirstNet, together with AT&T, bears the financial risk associated with the network build in such state or territory and will require no additional financial resources from the state or territory to deploy or operate the network.

Interoperability will also provide police and fire commanders with radio spectrum for coordinating with one another sufficiently in a command center and to designate an organizational hierarchy so that managers of disaster scenes and other public safety events (e.g., visits of a president or other dignitary with a high security risk) will have immediate access to all public safety personnel. It is also a goal of FirstNet that a first responder's public safety network device can also operate on a commercial wireless network if the public safety broadband network transmitter is disrupted, or a first responder moves into an area where the public safety broadband network transmitters have not been deployed, as is likely to be the case in many rural areas.

As of today, 20 states or territories have chosen to have AT&T build and operate their public safety networks and no states had opted out of the AT&T plan. While Congress had the intention to provide states with an option to opt/out of the FirstNet, doing so will represent a challenging decision for a state. If a state/territory decides to Opt-out of FirstNet, that state/territory is responsible for deployment, operation, maintenance, and improvement of a public safety RAN in that state/territory – including costs and risks. In an 'opt out' scenario, the state assumes all responsibility for deploying, operating, and maintaining the local radio access network component of the nationwide public safety broadband network in the state *in accordance with all of FirstNet's network policies*, including requirements to interoperate with the FirstNet/AT&T core network in order to ensure the nationwide network remains interoperable for all public safety users.

Since there has never been a federal mandate for any local public safety agency to use FirstNet, competition has recently developed for providing service to the public safety radio market across the country, most notably from Verizon Wireless. In the end, both AT&T and Verizon will need to make a compelling market case to persuade public safety to adopt either of the public safety wireless services. Verizon's public safety customers sometimes will have to roam on the FirstNet network and will have the capacity to do so, though the two carriers don't now have a data roaming agreement, but it seems likely the carriers will agree to roaming and interoperability in the interest of public safety.



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