APCO Mid-Winter Summit

February 13, 2007
Agenda

- 800 MHz RECONFIGURATION
  - Areas of Progress
  - Areas of Continued Focus

- ALTERNATIVE DISPUTE RESOLUTION

- Q&A

Brett Haan

Joe Markoski
Areas of Progress

The 800 MHz reconfiguration program has seen significant progress in the following areas:

- Substantial continued progress in clearing Channels 1-120
- Significant improvement in overall Public Safety engagement in the program and leverage of educational opportunities to facilitate progress
- Many licensees are effectively moving planning activities forward
- Recent FCC order to allow information sharing among licensees
- Effective negotiation of FRAs via ADR process
As of December 31, 2006, Sprint Nextel is reporting that physical reconfiguration is complete for 70% of all non-border area Channel 1-120 FRAs.
The January 8, 2007 ruling released by the FCC allows for the exchange of information among public safety licensees.

The benefits of the ruling to public safety licensees include:

- Allows public safety licensees to engage in historical information sharing
- Provides licensees with a check and balance for certain costs and activities to similar or comparable systems
- Provides a mechanism for reviewing proposed costs and activities against similar or comparable systems

The FCC’s Order does **not** allow parties that have already negotiated PFAs or FRAs to reopen negotiations.
Per the FCC’s ruling, the TA has published PFA cost ranges.

**Several data slices provided:**
- Total planning costs
- Incumbent costs broken down by cost category
- Vendor costs broken down by cost category
- Hourly incumbent and vendor rates by cost category

**Data points provided:**
- 25th percentile (low point)
- Median
- 75th percentile (high point)

This information provides licensees seeking planning funding with ranges for similar sized systems… It is a starting point for comparison and not meant to be your only source of information.
Educational Opportunities

The parties involved in this process have provided information to guide the licensees through the process.

- APCO Regional and National Meetings
- APCO Bulletin
- TA/APCO Rebanding Newsletter
- TA Public Safety communications SMEs (for one-on-one or small group meetings and workshops)
- TA Website and Online Training (Webinars)

Many licensees are leveraging these opportunities to engage in the process and obtain information necessary to move their individual reconfiguration efforts forward.
Areas of Continued Focus

The following continue to be areas of focus to advance the program:

- Sequential nature of the process, specifically for public safety licensees

- Adherence to RPP timelines for planning and negotiations:
  - Use of negotiation periods prior to ADR
  - Start of planning activities relative to the overall timeframe

- Border area frequency plans have not been finalized

- Government / agency contract approval process
Sequential nature of process prevents physical reconfiguration activity from commencing until after negotiations and contract approvals have been completed.
The TA is working with Public Safety, Sprint Nextel and the FCC to modify the process to allow more parallel physical reconfiguration activity…

Sequential Process

PFA Negotiations → Planning Activities → FRA Negotiations → Obtain FRA Approvals

Wave, Stage Begins

Subscriber Deployment → Infrastructure Retune

In the coming weeks, the TA will work to finalize and publish guidelines allowing licensees to deploy replacement subscriber units and / or software upgrade (flash) kits in advance of completing the full FRA contract negotiations process.
### Adherence to RPP Timelines

#### WAVE 1

<table>
<thead>
<tr>
<th>Channels 1-120</th>
<th>Freeze Start/ PN Date</th>
<th>Request for Planning Funding (RPF) Deadline</th>
<th>Start of Voluntary Negotiation Period</th>
<th>End of Voluntary Negotiation Period</th>
<th>Start of Mandatory Negotiation Period</th>
<th>End of Mandatory Negotiation Period</th>
<th>End of Freeze</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 27, 2006</td>
<td>N/A</td>
<td>June 27, 2005</td>
<td>September 26, 2005</td>
<td>September 27, 2005</td>
<td>December 26, 2005</td>
<td>October 31, 2006</td>
<td>February 8, 2006</td>
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#### WAVE 2

<table>
<thead>
<tr>
<th>Channels 1-120</th>
<th>Freeze Start/ PN Date</th>
<th>Request for Planning Funding (RPF) Deadline</th>
<th>Start of Voluntary Negotiation Period</th>
<th>End of Voluntary Negotiation Period</th>
<th>Start of Mandatory Negotiation Period</th>
<th>End of Mandatory Negotiation Period</th>
<th>End of Freeze</th>
</tr>
</thead>
</table>

#### WAVE 3

<table>
<thead>
<tr>
<th>Channels 1-120</th>
<th>Freeze Start/ PN Date</th>
<th>Request for Planning Funding (RPF) Deadline</th>
<th>Start of Voluntary Negotiation Period</th>
<th>End of Voluntary Negotiation Period</th>
<th>Start of Mandatory Negotiation Period</th>
<th>End of Mandatory Negotiation Period</th>
<th>End of Freeze</th>
</tr>
</thead>
</table>

#### WAVE 4

<table>
<thead>
<tr>
<th>Channels 1-120</th>
<th>Freeze Start/ PN Date</th>
<th>Request for Planning Funding (RPF) Deadline</th>
<th>Start of Voluntary Negotiation Period</th>
<th>End of Voluntary Negotiation Period</th>
<th>Start of Mandatory Negotiation Period</th>
<th>End of Mandatory Negotiation Period</th>
<th>End of Freeze</th>
</tr>
</thead>
</table>

*Licensees with delayed frequency proposals will be notified of an alternate RPF deadline, described in the FPR cover letter.*

**Freeze Information:** The freeze on applications extends 70 miles outside of the affected NPSAC region(s) into adjacent regions that may be in a different Wave. The TA has used the FCC’s guidance to calculate the freeze dates, however, only the FCC’s Public Notice announcing the start of the voluntary negotiation period and the freeze start and end dates for each Wave/Stage will be definitive. The dates provided by the TA are approximate and for general guidance only. Licensees should not rely on the TA calculated freeze dates to determine the last possible day for filling an application prior to the start of an application freeze for a given wave.
Border Area Issues

Current status of border issues generates specific impacts to affected licensees…

**Evaluation of Proposed New Frequencies**
- Licensees in border areas and in areas adjacent to the border areas will not receive frequency proposal reports until revised border area band plans are available.

**Channel 1-120 Licensees**
- Wave 4, Stage 1 licensees affected by the border areas received a 90-day extension of the mandatory negotiation period.

**NPSPAC Licensees**
- TA modification of the RFPF deadline for Wave 4, Stage 2 licensees affected by the border areas.

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*The FCC and State Department are engaged in bi-lateral discussions with the governments of Mexico and Canada to address the international agreements.*
Agenda

- 800 MHz RECONFIGURATION: Brett Haan
  - Areas of Progress
  - Areas of Continued Focus

- ALTERNATIVE DISPUTE RESOLUTION: Joe Markoski

- Q&A
Effective ADR Process

Through Wave 1, Stage 2, the Alternative Dispute Resolution (ADR) process has assisted licensees and Sprint Nextel in reaching agreement.

Over 800 licensees have entered the mediation process to date.
Although the Wave 4 mediation period is still in progress, mediations involving Channels 1-120 are nearly complete.

<table>
<thead>
<tr>
<th></th>
<th>Mediations (Total)</th>
<th>Mediations (Public Safety)</th>
<th>Resolved</th>
<th>In Planning</th>
<th>At the FCC</th>
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</thead>
<tbody>
<tr>
<td>Wave 1</td>
<td>176</td>
<td>63</td>
<td>170</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Wave 2</td>
<td>89</td>
<td>23</td>
<td>88</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Wave 3</td>
<td>150</td>
<td>93</td>
<td>126</td>
<td>19</td>
<td>3</td>
</tr>
<tr>
<td>Wave 4</td>
<td>70</td>
<td>36</td>
<td>22</td>
<td>3</td>
<td>0</td>
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<tr>
<td>Totals</td>
<td>485</td>
<td>215</td>
<td>406</td>
<td>25</td>
<td>5</td>
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</table>

All data as of February 9, 2007
Stage 2 Preparation

In anticipation of Stage 2 ADR, the TA’s mediation team undertook a review of the Stage 1 mediation process and identified the issues presented by the unique circumstances of public safety communications systems.

- TA interviewed TA Mediators, Sprint Nextel, incumbent licensees, and vendors.

- TA engaged in outreach efforts with Public Safety and Sprint Nextel to identify the issues likely to be presented by Wave 1, Stage 2.

- TA conducted additional training for TA Mediators that focused on planning funding, interoperability, technical issues, and the day-to-day realities of the Public Safety community.
As expected, a large number of Stage 2 licensees have entered mediation, many of which require planning funding.

### In Process Breakdown

<table>
<thead>
<tr>
<th></th>
<th>Mediations (Total)</th>
<th>Resolved</th>
<th>In Process</th>
<th>In Planning</th>
<th>Pre-contract Agreement</th>
<th>At FCC</th>
<th>In Negotiation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wave 1</td>
<td>323</td>
<td>100</td>
<td>223</td>
<td>136</td>
<td>28</td>
<td>14</td>
<td>45</td>
</tr>
<tr>
<td>Wave 2</td>
<td>224</td>
<td>13</td>
<td>211</td>
<td>45</td>
<td>6</td>
<td>0</td>
<td>160</td>
</tr>
<tr>
<td>Totals</td>
<td>547</td>
<td>113</td>
<td>435</td>
<td>181</td>
<td>34</td>
<td>14</td>
<td>205</td>
</tr>
</tbody>
</table>

*All data as of February 9, 2007*

*Wave 2 Stage 2 mediation commenced February 1, 2007. The exact number of mediations is subject to change.*
Stage 2 ADR Challenges

The numbers show progress, but compared to Stage 1 mediations, Stage 2 is taking longer...

- Calendar challenges / holidays
- Newly released FCC decisions and orders
- New parties and associated learning curves
- Vendor resource issues (e.g., consultants, lawyers, manufacturers)
- Sprint Nextel resource issues
- Licensee preparation
- Day-to-day realities of the Public Safety community
Snapshot of Wave 1, Stage 2

Mediation Issues

- Cost Issues: 48%
- Comparability Issues: 22%
- Contract Issues: 11%
- Other Issues: 16%
- Timing: 3%
Interactive Q&A

TA Contact:
Phone: 1-888-800-8220
Website: www.800TA.org
Email: comments@800TA.org

Sprint Nextel Contact:
Fax: 678-405-8252
Email: 800MHz@Sprint.com

FCC – 800 MHz Reconfiguration Program:
Website: http://800MHz.gov
Join The 800 MHz Transition Administrator for the Upcoming Webinar Educational Sessions

Wednesday, February 21, 2007 | 1:00 pm - 3:00 pm
Interoperability & Mutual Aid - Steps necessary to prepare for the Interoperability and Mutual Aid operations within the reconfiguration process.

Thursday, February 22, 2007 | 1:00 pm - 3:00 pm
Cost Estimate Guidance & Successful Negotiations - Guidance on how to prepare a Cost Estimate; an overview of the updated Incumbent Labor Reimbursement Policy addressing reimbursement of licensee internal labor costs; FCC Order regarding Non-Disclosure Agreements and tips for successful negotiations.

Wednesday, February 28, 2007 | 1:00 pm - 3:00 pm
Change Notice Process & Actual Cost Reconciliation - Guidance on how to notify Sprint Nextel and the TA of changes to the scope of your planning and/or reconfiguration; Actual Cost Reconciliation detailing necessary documents required to support the costs incurred during reconfiguration.

To REGISTER for any of these sessions please visit:
http://www.800TA.org/content/news/webinar_form.asp