

PUBLIC SAFETY SPECTRUM TRUST

July 9, 2009

Dear Potential Applicant,

The Public Safety Spectrum Trust Corporation (PSST) is a non-profit corporation, recently formed and structured by nine major national Public Safety organizations, seeking to become the sole nationwide licensee for the portion of current 700 MHz band Public Safety spectrum that may be designated by the Federal Communications Commission ("FCC") for broadband communications.

The FCC is currently considering, and may authorize arrangements, where such Public Safety spectrum would be combined with adjacent 700 MHz commercial spectrum assigned to a commercial provider through an encumbered auction process, to be deployed together in a shared public safety/commercial broadband network. The creation, operation and maintenance of a nationwide shared public safety/commercial interoperable broadband network meeting the stringent and demanding communications requirements of first responders and having considerable national scrutiny, has no historical precedent. Given the unique nature of this task, its scope, and complexity, the PSST will require the services of one or more entities to serve as its agent/advisor.

Attaining this goal will require launching an open and competitive selection process to select one or more entities to serve as the PSST's agent/ advisor to assist us through the process and ensure the successful launch and maintenance of this historic nationwide interoperable network.

Proposals are sought from either a single entity or team able to provide the proposed services. The PSST reserves the right to give a preference in the selection process to entities proposing a comprehensive package of services. The PSST may also determine that certain tasks described in this RFP are unnecessary or can be deferred for a future selection process. We are initiating this process now, before the FCC finalizes its rules, as we believe it is essential the PSST be prepared to undertake the substantial tasks likely to be required of the National Public Safety Licensee (NPSL).

BY RESPONDING TO THIS RFP LETTER YOU ACKNOWLEDGE THAT THE FCC HAS NOT YET ADOPTED FINAL RULES ESTABLISHING A NATIONAL PUBLIC SAFETY LICENSEE FOR THE PUBLIC SAFETY BROADBAND SPECTRUM AND COULD DETERMINE THAT IT WILL NOT DO SO. ADDITIONALLY THE FCC HAS NOT DETERMINED IT WILL ENCUMBER ANY OF THE COMMERCIAL SPECTRUM WITH PUBLIC SAFETY-RELATED OBLIGATIONS. FURTHERMORE, THERE IS NO ASSURANCE THE PSST WILL BE SELECTED AS THE NATIONAL PUBLIC SAFETY LICENSEE SHOULD THE FCC ADOPT RULES IN THAT MANNER.

The PSST is a newly-formed District of Columbia not-for-profit corporation led by a Board of Directors consisting of designated representatives from each of the following organizations: American Association of State Highway and Transportation Officials (AASHTO), the Association of Public-Safety Communications Officials-International (APCO), the Forestry Conservation Communications Association (FCCA), the International Association of Chiefs of Police (IACP), the International Association of Fire Chiefs (IAFC), the International Municipal Signal

Association (IMSA), the National Association of State Emergency Medical Services Officials (NASEMSO), the National Sheriffs' Association (NSA), and the National Public Safety Telecommunications Council (NPSTC). The PSST will also establish one or more advisory committees of other individuals or organizations having a strong interest in Public Safety communications.

The FCC is concurrently considering proposals in WT Docket No. 06-150, WT Docket No. 06-169, PS Docket No. 06-229, and WT Docket No. 96-86, which could lead to the following results:

- A portion of 700 MHz band spectrum already allocated for Public Safety would be designated for Public Safety broadband communications.
- A national licensee for the designated Public Safety broadband spectrum would be granted to a single National Public Safety Licensee (NPSL) through a yet-to-be-determined selection process.
- A portion of the 700 MHz band spectrum required by statute to be auctioned for commercial services would include a condition that the successful bidder agrees to construct a nationwide broadband network that includes both auctioned spectrum and spectrum licensed to the NPSL. The successful bidder would be required to provide Public Safety entities access to the commercial portion of the spectrum under certain conditions. The NPSL would authorize commercial use of the Public Safety spectrum subject to unconditional preemption for Public Safety use. These arrangements would be subject to a Network Sharing Agreement between the successful auction bidder and the NPSL.
- The NPSL would be required to manage the Public Safety use of the shared network.

As the Public Safety community awaits the FCC decision on many of the auction and service rules surrounding the upcoming 700 MHz spectrum auction, the PSST intends to take actions in preparation for a key role in any process leading to the creation and operation of a shared public safety/commercial broadband network. In the brief window of time preceding the formal commencement of the auction process and in the aftermath of such an auction, the national leadership of Public Safety is aware it will need to assure that the PSST is provided with resources, skill sets and backgrounds that it cannot reasonably expect to be drawn exclusively from the ranks of Public Safety. This requires Public Safety to access the scale economies of the broad commercial wireless marketplace, to benefit from the economic engine provided by commercial subscribers on a jointly used wireless network, to receive the assurance of technological and operational enhancements into the future, and to benefit from the favorable cost curves that are associated with commercial wireless technologies and operations. The national leadership of Public Safety strongly feels that the Public Safety community rightly is, and must continue to be, aligned with its public service mission, and not with achieving commercially desirable outcomes.

The Public Safety community soon could be taking its place at the table with the FCC, potential spectrum auction participants, members and potential entrants to the U.S. wireless communications industry and with wireless equipment manufacturers, service providers and applications developers to shape and influence the outcome of the processes that may represent the most feasible near-term route to a workable solution that will deliver interoperable

broadband communications capabilities to emergency response personnel nationwide. If these developments are set in motion, the national communications leadership of Public Safety has concluded the PSST should obtain the services of a suitably qualified and capable organization or organizations to act in certain advisory or agency roles for the PSST. Such an advisor or agent to the PSST could represent the interests of the PSST and those of the broader Public Safety community in various processes. The successful applicant would provide the PSST with advice and counsel on the myriad topics and subject areas relevant to its activities and objectives by providing input to the PSST Board of Directors in exploring potential roles and functions the PSST may wish to retain over any public/private partnership arrangement. Moreover, such an advisor or agent to the PSST could provide assistance or responsibility for network performance, subject to the overall control and direction of the PSST. The PSST would look to any advisor or agent for particular tasks or functions relating to the design, construction, operation, maintenance and updating of the shared public safety/commercial broadband network.

This RFP establishes and details requirements the PSST has identified as among those it intends to consider in reviewing and assessing responses received from Applicants. The unique nature of the opportunity before us is reflected in the unique nature of this RFP, including significantly more open-ended questions, requests to provide a larger, more comprehensive vision, rather than line-item technical specifics and revenue modeling than might be the case in many more traditional procurement vehicles.

Potential applicants should appreciate that this RFP seeks entities that do not fall precisely into any established occupational compartment. It will require a mix of perspectives, experiences and skill sets that are consistent with an overall balanced ability to appreciate the objectives and trade-offs involved in architecting and running a network that simultaneously must be responsive to the broadband communications needs of the Public Safety user base while giving due regard to the economic pressures and incentives that influence the thinking and conduct of commercial businesses.

First, and most importantly, we request that you submit brief (no more than 20 pages) resumes from your organization's full-time employees. We will judge the relevant experience of the individuals and will require that each employee whose resume you submit for review be able to be immediately staffed for a majority of their time on this PSST project.

Secondly, in a minimum 10-page response (at least one page per section), please provide your organization's thoughts on and experience in each of these areas. What kind of issues would you advise us to consider at each of these stages? What experience do you have with each of these issues and how might you, the respondent, be able to help Public Safety through them?

- 1) Pre-auction assistance, such as preparation of a "statement of requirements" that the PSST would provide to prospective bidders in the encumbered auction.
- 2) Auction / Pre-license Negotiations
- 3) Network Planning, Design, Pre-Launch
- 4) Network Build Out / Launch

- 5) Ongoing Network Operations
- 6) Back-office Support
- 7) Contracting / Dispute Resolutions
- 8) Marketing / Public Awareness
- 9) Staffing / Experience
- 10) Pricing for Services provided to PSST & Your Strategy for Funding to Support the PSST

The Public Safety community takes seriously the rule of law. We are interested in working only with candidates able to demonstrate that they are both ethically and financially in good standing within the industry. Before entering into an agreement with the PSST, neither the selected entity nor the members represented by the resumes you submit should be presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from entering into any agreements resulting from this RFP by any federal agency or by any department, agency or political subdivision at the state or local level. Applicants should not have business name(s) or principals' name(s) listed on the debarment web site at <http://www.epls.gov/eplsearch.do> and must answer the following questions: Is your company or organization currently under indictment in any jurisdiction? Has it been found guilty in a court of law of any crime? Has it defaulted on any contract with any client or supplier that resulted in findings against your company? Please list every potential example from the past ten (10) years. How will these findings impact your ability to serve the PSST, given that you may be working with law enforcement on a daily basis?

The PSST also wants to avoid perceived or actual conflicts of interest in the selection process, in future negotiations with the successful bidder in the encumbered spectrum auction, or in other business transactions of the PSST. Therefore, applicants must identify any current or prior business relationships (within the last 10 years) with the organizations listed above that select the PSST Board of Directors, or with its current officers, Harlin R. McEwen (President), Robert M. Gurss (Vice-President), and Alan Caldwell (Secretary/Treasurer). Please also indicate any relationships with entities (or their principals) that you believe could be potential bidders in the encumbered auction (depending upon the rules adopted by the FCC, this may include Frontline Wireless, LLC, current nationwide wireless companies, and other providers of telecommunications services). If selected, you agree not to participate in the auction. Finally, identify relationships that you have with telecommunications service providers, equipment manufacturers, or other entities that could create a conflict or perceived conflict of interest with the PSST.

The PSST reserves the right to begin discussions with representatives of one or more applicants for the purpose of obtaining clarifications, additional information or explanations to gain understanding concerning any of the answers, concepts or arrangements included in the relevant applications. The PSST may consider requiring one or more applicants to provide one or more formal presentations to our Executive Leadership to further explain or clarify answers,

information or other materials contained in the relevant application(s) to assist us in our evaluations.

To meet our deadline of selecting an agent or letting respondents prepare for auction, we will adhere to the following timeline:

- 07/09/07 RFP release
- 07/20/07 Intent to Submit Response Letters due
- 07/30/07 Submissions due
- 08/13/07 thru 08/17/07 Oral presentations, if necessary (during this week)
- 08/20/07 thru 08/24/07 Intent to Award (during this week)
- 08/27/07 Binding Letter of Intent/Term Sheet Signed (target deadline)

We look forward to hearing from you. If you are interested in applying for this role, please send us your "Intent To Submit Response Letter" by 7/20/07 and your submission by 7/30/07. All letters and proposals must be delivered via electronic mail to Alan Caldwell, Secretary-Treasurer, PSST, at acaldwell@iafc.org

Sincerely,

Harlin R. McEwen

Harlin R. McEwen
President