



November 18, 2019

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Presentation, *In the Matter of Boulder Regional Emergency Telephone Service Authority Petitions*, PS Docket No. 19-254

Dear Ms. Dortch:

On November 15, 2019, Ed Parkinson, Paul Madison, Tom Shull, Pete Tomczak, and the undersigned, all of the First Responder Network Authority (“FirstNet Authority”), met with David Furth, Erika Olsen (by teleconference), Michael Wilhelm, and Roberto Mussenden of the Public Safety and Homeland Security Bureau to discuss the Bureau’s Public Notice¹ seeking comment on petitions for a declaratory ruling and rulemaking filed by the Boulder Regional Emergency Telephone Service Authority (“BRETSA”).²

During the meeting, the FirstNet Authority urged the Commission to deny BRETSA’s petitions and reiterated the points raised in its comments submitted in response to the Public Notice.³ We explained that the petitions seek measures that are inconsistent with and not actionable under the FirstNet Authority’s enabling statute,⁴ and which would damage the FirstNet program fought for by public safety and prescribed by Congress. In particular, we emphasized:

¹ *Boulder Regional Emergency Telephone Service Authority Petitions*, PS Docket No. 19-254, Public Notice (rel. Sept. 11, 2019).

² *Boulder Regional Emergency Telephone Service Authority, Petition for Reconsideration, or in the Alternative, Petition for Declaratory Ruling and Petition for Rulemaking* (filed Nov. 21, 2018).

³ *See* Comments of the First Responder Network Authority, PS Docket No. 19-254 (filed Sept. 26, 2019) (“FirstNet Authority Comments”).

⁴ Middle Class Tax Relief and Job Creation Act (47 U.S.C. § 1401 *et seq.*) (“2012 Act”).

- Pursuant to the 2012 Act, the FirstNet Authority is the Federal entity responsible for the implementation and oversight of the NPSBN, including making any determinations regarding interoperability, roaming, or prioritization related to the network.⁵
- The FirstNet network—which is based on a single, national network architecture; connects to the Public Switched Telephone Network; and is being implemented using open, commercial standards—is interoperable as required under the 2012 Act.⁶
- The Commission has fulfilled all of its duties and responsibilities under the 2012 Act related to interoperability.⁷
- Modifying the carefully crafted public-private arrangement that was the product of the FirstNet Authority’s comprehensive, open, transparent, and competitive procurement process would have a significant negative impact on the program.⁸

Pursuant to section 1.1206 of the Commission’s rules, this letter is being filed electronically for inclusion in the record of the above-referenced proceeding. Should you have any questions, please feel free to contact me at (202) 507-3299.

Respectfully submitted,

/s/ Kevin Green

Kevin Green
Counsel

cc (via e-mail): David Furth
Erika Olsen
Michael Wilhelm
Roberto Mussenden

⁵ See FirstNet Authority Comments at 3-5, 10-14.

⁶ See *id.* at 5-7, 12.

⁷ See *id.* at 7-10.

⁸ See *id.* at 14-16.