



— State of —  
**North Dakota**  
*Office of the Governor*

John Hoeven  
*Governor*

February 9, 2009

Bill Owens  
Chairman of the Board  
New EA, Inc.  
1915 North Kavaney Drive  
Bismarck, ND 58503

RE: Public Safety Communications Project

Dear Mr. Owens:

We are pleased to have New EA, Inc. serving communities in North Dakota with wireless mobile broadband access using wireless technologies. I understand that New EA intends to provide Fourth Generation or "4G" mobile services, using a combination of unlicensed and licensed 700 MHz spectrum, for public safety and commercial use in rural areas.

The State of North Dakota would benefit from a state-wide mobile broadband emergency communications network that would be accessible to first responders and other public safety personnel and organizations. In the interest of promoting public safety in North Dakota, I have a strong interest in the products and technology being developed by New EA, Inc.

According to officials within North Dakota's Information Technology Department, Department of Emergency Services and Highway Patrol, New EA's proposed pilot network would be compatible with the national 700 MHz public safety network envisioned by the federal Public Safety Spectrum Trust (PSST) and could enable public safety personnel and organizations in North Dakota to utilize a broad range of applications made possible over a "4G" network that will enhance emergency response and public safety in general.

I support New EA plans to utilize the Public Safety Spectrum (763-768/793-798 MHz) currently licensed by the FCC to the PSST and unlicensed spectrum for a North Dakota based public safety project.

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It is important that like the PSST vision, this network will be utilized for both public safety as well as for commercial use, with priority access for public safety. The network will provide: broadband access speeds at 1 mbps through the coverage area, voice coverage throughout the landmass, ad-hoc video casting capabilities from the location back to a central office and fixed surveillance capabilities and vehicle tracking.

As their respective operating budgets allow, several State of North Dakota public safety agencies will participate in the project. These departments may include, but are not limited to: the Information Technology Department, the Division of Homeland Security, the Division of State Radio Communications, the Highway Patrol, Criminal Justice Information Sharing System and the Department of Transportation.

To assist New EA in their effort to comply with the requirements of the national 700 MHz public safety network, the State will, where possible and practical, help identify potential locations for the New EA Base Stations on state-owned towers or poles as well as may provide the electricity and power and coordinate on right-of-way access.

We are hopeful that upon successful demonstration of this project in North Dakota, followed by statewide implementation, that New EA can deliver the technology and products to other western states. This could enhance interoperability with regional states and thereby foster greater emergency response capabilities in North Dakota and other rural states.

This letter is written as a statement of interest and offer of cooperation and should not be construed to bind the state or any parties of the state, nor New EA to any terms. Rather, my intent is to express our interest to continue discussions to develop a public safety demonstration with state agencies as a possible customer using newly available tools and frequencies. It is important that we continue to provide the opportunity to enhance public safety and communications and I support efforts by New EA Inc. to establish a public safety project in North Dakota.

Sincerely,



John Hoeven  
Governor

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