

Rebanding Progress: A Vendor's Perspective

The winds of change are slowly beginning to blow across the rebanding landscape. There was a time, perhaps 18 months ago, when it seemed that the 800 MHz reconfiguration initiative might not get off the ground. Legal proceedings, maneuverings, rumors, and an air of mystery surrounding the process obscured much of the necessary work. But as



rebanding moves forward, there has been a gradual clearing of the air, an increasingly cooperative spirit among the players, and several policy initiatives aimed at speeding up the process overall. The results of this fresh breeze are that frequency reconfiguration agreements (FRAs) are being signed, vendors are receiving contracts for rebanding equipment and services, and public-safety agencies are beginning to reband.

A significant reason for the slow start of rebanding for public safety has been the mysteriousness of the process. EFJohnson executives believe in and support the right of public-safety agencies to negotiate and actively participate in all aspects of the rebanding process. The reconfiguration is predicated on a clear and readily available dissemination of information. But conversations with public-safety agencies in the early days of rebanding revealed some startling facts, such as few customers understood the process, what actions they needed to take, who their contacts were at equipment vendors and Sprint Nextel, and whether their voices would be heard in the negotiations. For example, few customers were aware that they have a choice of replacement radios if multiple vendors supply radios that work on their types of systems, such as Project

25 (P25) and Motorola SmartNet and SmartZone.

The Transition Administrator (TA) has taken steps to accelerate the process by initiating a fast-track option. This option enables agencies to more quickly obtain planning funds. Under certain circumstances, public-safety licensees affected by rebanding may obtain planning funding without negotiating planning costs with Sprint Nextel.

To speed up the planning process and enable licensees to quickly conclude reconfiguration agreements, Sprint Nextel has agreed to fast track any planning funding requests that equate to no more than \$55 per subscriber unit operated by the licensee.

EFJohnson has also proposed that the TA facilitate the rebanding process and customer choice by providing "software flash kits" for subscriber radios that need to be retuned. This proposal addresses approximately two-thirds of the radios affected by rebanding, while

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allowing it to be accomplished within normal maintenance windows. This proposal will assist in satisfying both the TA's and FCC's concerns for expediting the rebanding process, while also protecting the TA's and FCC's obligations to allow public safety to continue to choose their replacement radios. The TA has begun work on an early deployment for retuning subscribers, which certainly bodes well for moving the process forward. An additional breath

of fresh air is that Sprint Nextel has agreed, and the FCC has ruled, to remove the nondisclosure agreement from FRAs. This enables the licensees to discuss agreement details with each other and allows for a more free exchange of information.

However, clarification is critically needed regarding border agreements

with Canada and Mexico. Public-safety agencies in many states, even those not

along U.S. borders, have delayed getting involved with rebanding because border agreements haven't been finalized. Realizing that rebanding is an FCC requirement, these agencies are eager to comply.

The lack of border agreements has built up a bubble of required activity, which will likely burst as soon as the agreements are in place. So many agencies will rush across the starting line at once that vendors, Sprint Nextel, and the TA will be hard pressed to handle the resulting flood of funding requests. Resource planning and ven-



дор supply chain forecasting could become a nightmare. Legal costs could skyrocket, and further program delays would be the likely result. Vendors are looking to the TA to provide clear direction, maintain openness, share information, and above all, keep the momentum going.

In addition to a need for clarity, a measure of accountability for the length of the process needs to be built in. Progress to date has been slow, partly because of the unclear

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consequences of failure to reach an agreement. For example, many of EFJohnson's MultiNet customers who are affected by rebanding are in the Wave 1, Stage 2 negotiation and mediation period, yet one-quarter of those incumbents haven't signed planning funding agreements (PFAs). They've been unable to start the planning activities to make an initial request for reconfiguration funding. The TA's regional prioritization plan established firm reconfiguration start dates; however, many of the completion dates have slipped and are therefore less clear.

EFJohnson's customers have described a disparity in the cooperative spirit of the Sprint Nextel negotiators as well as the TA mediators. One deal maker will accept a vendor's proposal with minimal questions, while a colleague will tie up six people for an hour to discuss a proposal issue of less than \$1,000. EFJohnson executives have observed one TA mediator who will coach, support, and work closely with the parties to reach agreement; at the same time, another mediator will proceed with conference calls even when key participants are not available. Currently, guidelines for the rules of engagement are unclear, and the TA is best suited to step up to provide clear guidelines and ensure that the information from each stakeholder is shared uniformly.

Vendors, the TA, Sprint Nextel, and public-safety agencies aren't the only entities with stakes in rebanding. The dealer channel is also critical to completing the rebanding activities. EFJohnson couldn't meet the

requirements of this program without this pool of talented, knowledgeable technicians working closely with the company. The dealers that participate in the early waves will likely help to reconfigure other customers' systems in subsequent waves, and lessons learned will make them more efficient at completing the work. Sales people and technicians with EFJohnson's dealers are also intimately familiar with their end user's systems. They provide an immeasurable source of information about the ongoing evolution and operation of their customers' systems.

Undertaking the challenge to reband a public-safety network is certainly a daunting task. The following is some well-learned advice for licensees just beginning the process:

- Start the process as early as possible so there is time to execute the work without rushing. Make sure everyone in the organization, constituents, and the community are aware that rebanding is an FCC mandate, and not an option. This isn't something that can be put off until the next election or bond initiative.

- Adopt a project-management

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approach. Identify the end result and the steps necessary to achieve that approach. Document and share milestones internally as well as with constituents.

- Seek legal counsel familiar with the process. If this process is outside the realm of expertise of in-house counsel, retain an outsider to ensure that best interests are maintained.

- Choose P25-compliant radios if radios need to be replaced. Although replacement radios aren't required to be P25 compliant, rebanding presents an opportunity to upgrade.

- Demand information. Ask about rebanding options and product choices. Talk to other customers who have already gone through the process.

EFJohnson has the following advice to the TA and Sprint Nextel during this process:

- Recommit efforts to contact, communicate, and negotiate while being sensitive to public-safety concerns and needs.

- Be open to sharing information among all stakeholders. Knowledge is the key and will expedite the process.

The good news is that rebanding is starting to move. The TA, FCC, Sprint Nextel, licensees, and attorneys are all beginning to work well together. The process is now becoming more open, and information is flowing more readily. PFAs are beginning to be signed; the real work is finally beginning. ■

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