



# PUBLIC NOTICE

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## **PUBLIC SAFETY 700 MHZ BAND GENERAL USE SPECTRUM DEADLINE FOR CHANGING REGIONAL BOUNDARIES IS JULY 2, 2001**

By this *Public Notice*, the Wireless Telecommunications Bureau (WTB) announces that the deadline by which states must indicate their decision to “opt out” of existing planning regions is July 2, 2001.<sup>1</sup> This option is limited and applies only to states that either are included in a multi-state region or have portions of their geographic boundaries included in more than one region.

In 1998, the FCC decided that the 700 MHz regional planning committees (RPCs) would be based on the same fifty-five 800 MHz planning regions.<sup>2</sup> However, the FCC also decided to allow states or territories not in regions defined by state boundaries to opt out of their existing regions to form or join a planning region that corresponds with their state’s geographic boundaries.<sup>3</sup>

Prior to taking advantage of this option, the 800 MHz RPC chair must appoint a local convener who is responsible for organizing and publicizing the first 700 MHz RPC meeting. At the first meeting, RPC “members from a state<sup>4</sup>” seeking to opt out must reach a consensus decision to opt out of the region and form a new RPC that would correlate to its state’s geographic boundaries.<sup>5</sup>

Opt out decisions must be reported to the WTB by July 2, 2001. No report is necessary for planning regions that are unchanged. Opt out decisions must be reported in letter format addressed to Chief, Public Safety and Private Wireless, WTB, and must be signed by the convener or elected chairperson of the RPC. The letter should be submitted to: Federal Communications Commission, WTB/Public Safety and Private Wireless Division, 445 12<sup>th</sup> Street S.W., Room 4-C330, Washington, D.C. 20554 (Re: 700 MHz RPC).

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<sup>1</sup> A listing/map of counties of the existing planning regions for the 700 MHz band is attached hereto as Attachment A.

<sup>2</sup> See Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communications Requirements Through the Year 2010, WT Docket No. 96-86, *First Report and Order and Third Notice of Proposed Rulemaking*, 14 FCC Rcd 152, 189-90 76 (1998). It nonetheless should be noted that the FCC requires that there be two separate and distinct regional plans, one for the 800 MHz band and one for the 700 MHz band.

<sup>3</sup> It should be noted that this opt out decision refers to redrawing boundaries for regional planning purposes and it does not refer to “state-government planning.”

<sup>4</sup> “Members from the state” means the representatives of local and state jurisdictions/agencies within the given state.

<sup>5</sup> Additional information regarding specific opt out scenarios is attached hereto as Attachment B.

States that do not file an opt out report by the deadline date will continue to be included in their existing planning regions.

After WTB's receipt and review of opt out reports, it will issue a public notice(s) to confirm timely-filed opt out decisions. After an opt out decision is confirmed, the new or modified RPC is authorized to begin the planning process, absent further action by WTB. Questions concerning this Public Notice should be referred to Joy Alford, Public Safety and Private Wireless Division, Policy and Rules Branch, at (202) 418-0680 or by e-mail: < [publicsafety@fcc.gov](mailto:publicsafety@fcc.gov) >.

By the Chief, Public Safety and Private Wireless Division, WTB.

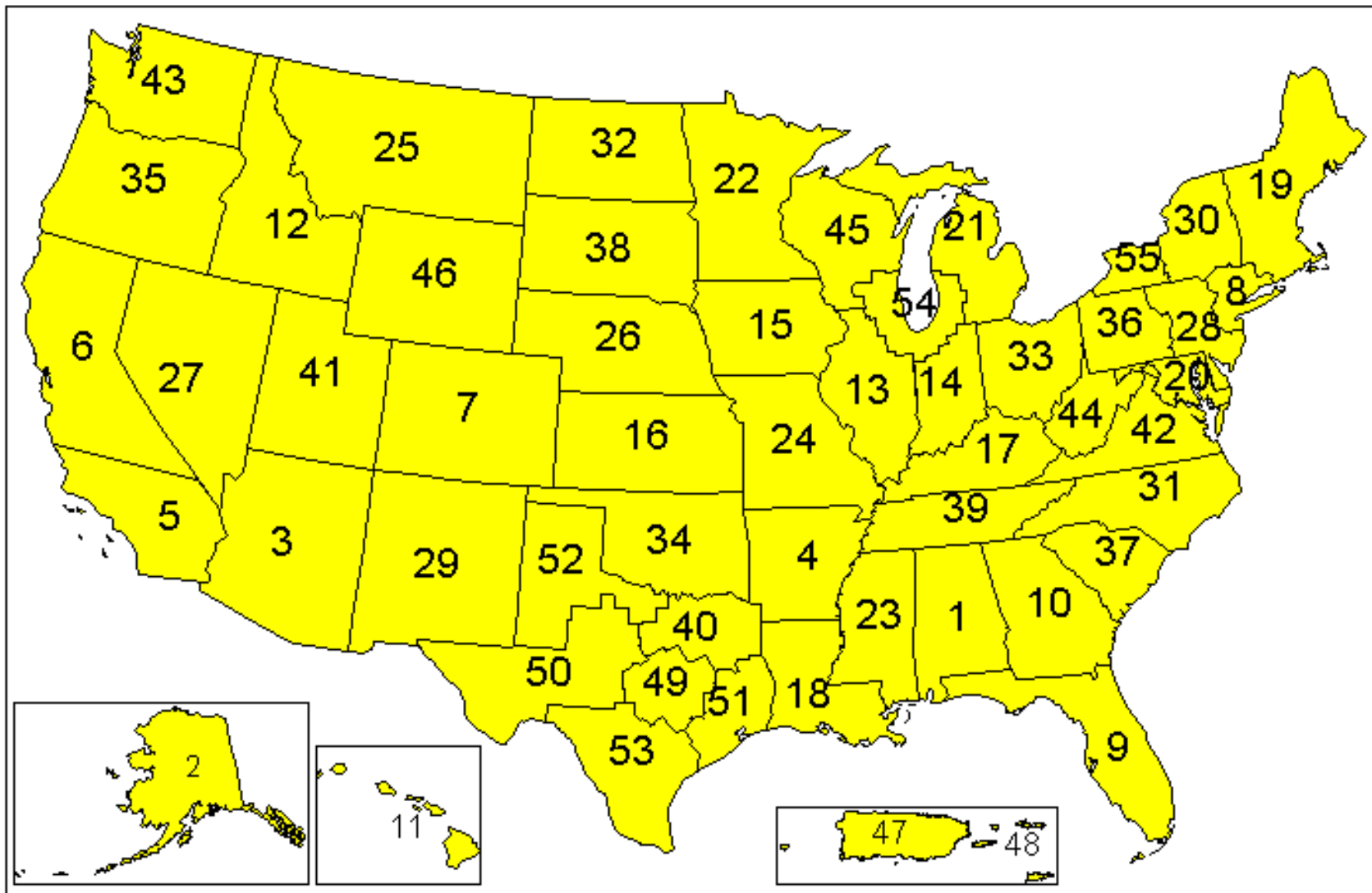
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<b>NUMBER</b>	<b>STATES, COUNTIES &amp; TERRITORIES INCLUDED IN REGIONS</b>
1.	Alabama
2.	Alaska
3.	Arizona
4.	Arkansas
5.	California – South (to the northernmost borders of San Luis Obispo, Kern, and San Bernardino Counties).
6.	California – North (that part of California not included in California-South)
7.	Colorado
8.	New York – Metropolitan (Fairfield County, Litchfield, New Haven, and Middlesex, Counties, Connecticut; Bronx, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Sullivan, Ulster, Dutchess, and Westchester Counties, New York; Bergen, Essex, Hudson, Morris, Passaic, Sussex, Union, Warren, Middlesex, Somerset, Hunterdon, Mercer, and Monmouth Counties, New Jersey)
9.	Florida
10.	Georgia
11.	Hawaii
12.	Idaho
13.	Illinois (all except area in Region 54)
14.	Indiana (all except area in Region 54)
15.	Iowa
16.	Kansas
17.	Kentucky
18.	Louisiana
19.	Maine; New Hampshire; Vermont; Massachusetts; Rhode Island; Connecticut (except Fairfield, Litchfield, New Haven, and Middlesex Counties)
20.	Maryland; Washington, D.C.; Virginia – Northern (Arlington, Fairfax, Fauquier, Loudoun, Prince William and Stafford Counties; and Alexandria, Fairfax, Falls Church, Manassas and Manassas Park Cities)
21.	Michigan (all except area in Region 54)
22.	Minnesota
23.	Mississippi
24.	Missouri
25.	Montana

<b>NUMBER</b>	<b>STATES, COUNTIES &amp; TERRITORIES INCLUDED IN REGIONS</b>
26.	Nebraska
27.	Nevada
28.	New Jersey (except for counties included in the New York-Metropolitan, Region 8, above) Pennsylvania (Bucks, Chester, Montgomery, Philadelphia, Carbon, Columbia, Dauphin, Lackawanna, Lancaster, Northumberland, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne, Wyoming and York Counties) Delaware
29.	New Mexico
30.	New York – Albany (all except area in New York - Metropolitan, Region 8, and New York – Buffalo, Region 55)
31.	North Carolina
32.	North Dakota
33.	Ohio
34.	Oklahoma
35.	Oregon
36.	Pennsylvania (all except area in Region 28, above)
37.	South Carolina
38.	South Dakota
39.	Tennessee
40.	Texas – Dallas (including the counties of Cooke, Grayson, Fannin, Lamar, Red River, Bowie, Wise, Denton, Collin, Hunt, Delta, Hopkins, Franklin, Titus, Morris, Cass, Tarrant, Dallas, Palo Pinto, Parker, Rockwall, Kaufman, Rains, VanZandt, Wood, Smith, Camp, Upshur, Gegg, Marion, Harrison, Panola, Rusk, Cherokee, Anderson, Henderson, Navarro, Ellis, Johnson, Hood, Somervell and Erath)
41.	Utah
42.	Virginia (all except area in Region 20, above)
43.	Washington
44.	West Virginia
45.	Wisconsin (all except area in Region 54)
46.	Wyoming
47.	Puerto Rico
48.	U.S. Virgin Islands

NUMBER	STATES, COUNTIES & TERRITORIES INCLUDED IN REGIONS
49.	Texas – Austin (including the counties of Bosque, Hill, Hamilton, McLennan, Limestone, Freestone, Mills, Coryell, Falls, Robertson, Leon, San Saba, Llano, Burnet, Williamson, Burleson, Lee, Washington, Blanco, Hays, Travis, Caldwell, Bastrop, and Fayette)
50.	Texas – El Paso (including the counties of Knox, Kent, Stonewall, Haskell, Throckmorton, Gaines, Dawson, Borden, Scurry, Fisher, Jones, Shakelford, Stephens, Andrews, Martin, Howard, Mitchell, Nolan, Taylor, Callahan, Eastland, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, Brown, Comanche, Culberson, Reeves, Ward, Crane, Upton, Reagan, Irion, Tom Green, Concho, McCulloch, Jeff Davis, Hudspeth, El Paso, Pecos, Crockett, Schleicher, Menard, Mason, Presidio, Brewster, Terrell, Sutton, and Kimble)
51.	Texas – Houston (including the counties of Shelby, Nacogdoches, San Augustine, Sabine, Houston, Trinity, Angelina, Walker, San Jacinto, Polk, Tyler, Jasper, Newton, Montgomery, Liberty, Hardin, Orange, Waller, Harris, Chambers, Jefferson, Galveston, Brazoria, Fort Bend, Austin, Colorado, Wharton, and Matagorda)
52.	Texas – Lubbock (including the counties of Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Grey, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Hardeman, Foard, Wilbarger, Wichita, Clay, Montague, Jack, Young, Archer, Baylor, King, Dickens, Crosby, Lubbock, Kockley, Cochran, Yoakum, Terry, Lynn, and Garza)
53.	Texas – San Antonio (including the counties of Val Verde, Edwards, Kerr, Gillespie, Real, Bandera, Kendall, Kinney, Uvalde, Medina, Bexar, Comal, Guadalupe, Bonzales, Lavaca, Dewitt, Karnes, Wilson, Atascosa, Frio, Zavala, Maverick, Dimmit, LaSalle, McMillen, Live Oak, Bee, Goliad, Victoria, Jackson, Calhoun, Refugio, Aransas, San Patricio, Nueces, Jim Wells, Duval, Webb, Kleberg, Kennedy, Brooks, Jim Hogg, Zapata, Starr, Hidalgo, Willacy, and Cameron)
54.	Chicago – Metropolitan (Winnebago, McHenry, Cook, Kane, Kendall, Grundy, Boone, Lake, DuPage, DeKalb, Will, and Kankakee Counties, Illinois; Kenosha, Milwaukee, Washington, Dodge, Walworth, Jefferson, Racine, Ozaukee, Waukesha, Dane, and Rock Counties, Wisconsin; Lake, La Porte, Jasper, Starke, St. Joseph, Porter, Newton, Pulaski, Marshall and Elkart Counties, Indiana; Ottawa, Kent, Van Buren, Kalamazoo, Barry, Muskegon, Allegan, Berrien, Cass, and St. Joseph Counties, Michigan)
55.	New York – Buffalo (including the counties of Niagara, Chemung, Schuyler, Seneca, Erie, Chautauqua, Cattaraugus, Allegany, Wyoming, Genesee, Orleans, Monroe, Livingston, Steuben, Ontario, Wayne, and Yates)

## The Public Safety 800MHz Planning Regions



## **“Opt Out” Decisions—By State**<sup>1</sup>

*California* – is Region 5 and Region 6. All members of these planning committees may, by consensus, opt out to form one planning region for all of California.

*Connecticut* – is part of Region 8 and Region 19. All members of these planning committees from Connecticut may, by consensus, opt out to form a separate planning region that conforms to Connecticut’s borders. In the alternative, you may opt out to form/join a planning region that encompasses all of Connecticut and the balance of either Region 8 or Region 19. If there is interest in the alternative opt out, you must keep apprised of any opt outs in other states that effect Regions 8 or 19. RPC members from states other than Connecticut do not vote on Connecticut’s opt out decisions.

*Delaware* – is part of Region 28. The members of Region 28 from Delaware may, by consensus, opt out to form a separate region that conforms to Delaware’s borders. RPC members from states other than Delaware do not vote on Delaware’s opt out decision.

*District of Columbia* – is part of Region 20. The members of Region 20 from the District of Columbia may, by consensus, opt out to form a separate region that conforms to the District of Columbia’s borders. RPC members from states other than the District of Columbia do not vote on the District of Columbia’s opt out decision.

*Illinois* – is Region 13 and part of Region 54 (lower Lake Michigan). All members of these planning committees from Illinois may, by consensus, opt out of Region 54 to form one planning region for all of Illinois (Region 13 redrawn to the borders of Illinois). RPC members from states other than Illinois do not vote on Illinois’ opt out decision.

*Indiana* – is Region 14 and part of Region 54 (lower Lake Michigan). All members of these planning committees from Indiana may, by consensus, opt out of Region 54 to form one planning region for all of Indiana (Region 14 redrawn to the borders of Indiana). RPC members from states other than Indiana do not vote on Indiana’s opt out decision.

*Maine* – is part of Region 19. The members of Region 19 from Maine may, by consensus, opt out to form a separate region that conforms to Maine’s borders. RPC members from states other than Maine do not vote on Maine’s opt out decision.

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<sup>1</sup> “State” is defined as any of the 50 United States, the District of Columbia, the Commonwealths of Puerto Rico and the Northern Mariana Islands, the U.S. Virgin Islands, American Samoa, and Guam. FCC Rules, § 90.7.

*Maryland* – is part of Region 20. The members of Region 20 from Maryland may, by consensus, opt out to form a separate region that conforms to Maryland’s borders. RPC members from states other than Maryland do not vote on Maryland’s opt out decision.

*Massachusetts* – is part of Region 19. The members of Region 19 from Massachusetts may, by consensus, opt out to form a separate region that conforms to Massachusetts’s borders. RPC members from states other than Massachusetts do not vote on Massachusetts’ opt out decision.

*Michigan* – is Region 21 and part of Region 54 (lower Lake Michigan). All members of these planning committees from Michigan may, by consensus, opt out of Region 54 to form one planning region for all of Michigan (Region 21 redrawn to the borders of Michigan). RPC members from states other than Michigan do not vote on Michigan’s opt out decision.

*New Hampshire* – is part of Region 19. The members of Region 19 from New Hampshire may, by consensus, opt out to form a separate region that conforms to New Hampshire’s borders. RPC members from states other than New Hampshire do not vote on New Hampshire’s opt out decision.

*New Jersey* – is part of Region 8 and part of Region 28. All members of these planning committees from New Jersey may, by consensus, opt out to form a separate planning region that conforms to New Jersey’s borders. In the alternative, you may opt out to form/join a planning region that encompasses all of New Jersey and the balance of either Region 8 or Region 28. If there is interest in the alternative opt out, you must keep apprised of any opt outs in other states that effect Regions 8 or 28. RPC members from states other than New Jersey do not vote on New Jersey’s opt out decisions.

*New York* – is Region 30, Region 55, and part of Region 8. All members of these planning committees from New York may, by consensus, opt out of Region 8 to form one planning region for all of New York (Regions 30 and 55 redrawn as a single region to the borders of New York). In the alternative, you may opt out to form/join a planning region that encompasses all of New York and the balance of Region 8. If there is interest in the alternative opt out, you must keep apprised of any opt outs in other states that effect Region 8. RPC members from states other than New York do not vote on New York’s opt out decisions.

*Pennsylvania* – is Region 36 and part of Region 28. All members of these planning committees from Pennsylvania may, by consensus, opt out to form a separate planning region that conforms to Pennsylvania’s borders. In the alternative, you may opt out to form/join a planning region that encompasses all of Pennsylvania and the balance of Region 28. If there is interest in the alternative opt out, you must keep apprised of any opt outs in other states that effect Region 28. RPC members from states other than Pennsylvania do not vote on Pennsylvania’s opt out decisions.

*Rhode Island* – is part of Region 19. The members of Region 19 from Rhode Island may, by consensus, opt out to form a separate region that conforms to Rhode Island’s borders. RPC members from states other than Rhode Island do not vote on Rhode Island’s opt out decision.

*Texas* – is Region 40, Region 49, Region 50, Region 51, Region 52 and Region 53. All members



of these planning committees may, by consensus, opt out to form one planning region for all of Texas.

*Vermont* – is part of Region 19. The members of Region 19 from Vermont may, by consensus, opt out to form a separate region that conforms to Vermont’s borders. RPC members from states other than Vermont do not vote on Vermont’s opt out decision.

*Virginia* – is Region 42 and part of Region 20. All members of these planning committees from Virginia may, by consensus, opt out to form a separate planning region that conforms to Virginia’s borders. In the alternative, you may opt out to form/join a planning region that encompasses all of Virginia and the balance of Region 20. If there is interest in the alternative opt out, you must keep apprised of any opt outs in other states that effect Region 20. RPC members from states other than Virginia do not vote on Virginia’s opt out decisions.

*Wisconsin* – is Region 45 and part of Region 54 (lower Lake Michigan). All members of these planning committees from Wisconsin may, by consensus, opt out of Region 54 to form one planning region for all of Wisconsin (Region 45 redrawn to the borders of Wisconsin). RPC members from states other than Wisconsin do not vote on Wisconsin’s opt out decision.