



# PUBLIC NOTICE

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Federal Communications Commission  
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DA 07-401  
January 30, 2007

## PUBLIC SAFETY AND HOMELAND SECURITY BUREAU ACTION

### APPROVAL OF REGION 27 (NEVADA) 800 MHz REGIONAL PLANNING COMMITTEE AMENDMENT TO ITS PUBLIC SAFETY PLAN

(PR DOCKET NO. 92-268)

By this *Public Notice*, the Public Safety and Homeland Security Bureau (Bureau) announces that the Region 27 (Nevada)<sup>1</sup> 800 MHz Regional Planning Committee's proposal to amend the Nevada Public Safety Plan is approved. On August 16, 2006, the Region 27 (Nevada) 800 MHz (821-824/866-869 MHz) Regional Planning Committee filed an amendment to its Public Safety Plan because its original plan has become outdated due to the population growth in Nevada and changes in public safety communications technology.<sup>2</sup> Specifically, the Plan Amendment incorporates several changes to better align the NPSAC 800 MHz public safety spectrum with the needs of the public safety agencies of Nevada by:

- Correcting typographical errors in the original plan;
- Better defining eligible entities;
- Acknowledging (and incorporating) waiver previously approved by the Commission;<sup>3</sup>
- Updating the Region 27 geographic and demographic descriptions;
- Refining the methodology used to allocate frequencies;

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<sup>1</sup> The Region 27 (Nevada) 800 MHz regional planning area encompasses the entire state of Nevada consisting of seventeen counties.

<sup>2</sup> See Letter dated June 1, 2006, from James A. Wilson, Region 27, to Federal Communications Commission (submitting Amendment to Nevada 800 MHz Plan), PR Docket No. 92-268, filed Aug. 16, 2006 (Plan Amendment).

<sup>3</sup> Plan Amendment Attachment 10 – FCC Waiver. See Letter dated July 10, 1995, from Michael J. Regiec, Deputy Chief, Land Mobile Branch, FCC, to Karen Kavanau, Director, State of Nevada, Department of Services (granting waiver to permit the shared use of a statewide 800 MHz Public Safety/Special Emergency Radio Service system with federal, state and local government agencies and public utilities, including stations presently licensed and all future expansions of the network, provided that NPSAC frequencies could not be included until the regional plan is amended to permit such operation).

- Repacking the frequency allocation tables to align with actual licenses and requirements; and
- Emphasizing federal recommendations regarding homeland security and interoperability.

The proposed Plan Amendment was reviewed by, and letters of concurrence obtained from, Nevada's adjacent regions, Region 3 (Arizona), Region 5 (Southern California), Region 6 (Northern California), Region 12 (Idaho), Region 41 (New Mexico) and Region 35 (Oregon).

In accordance with the National Public Safety Plan, each region is responsible for planning its use of public safety radio frequency spectrum in the 821-824/866-869 MHz bands.<sup>4</sup> The National Plan specifies special policies and procedures governing the Public Safety Pool.<sup>5</sup> Regional plans must include an explanation of how the plan has been coordinated with adjacent regions. For modifications, the regional chair may recommend, in writing, changes to a regional plan, and the Commission will provide public notice soliciting comment on any such proposals and issue appropriate orders upon review.<sup>6</sup> The Region 27 plan, which was approved on January 12, 1993, governs the use of frequency assignments in the 821-824/866-869 MHz within the state of Nevada.<sup>7</sup>

On November 22, 2006, the Public Safety and Homeland Security Bureau solicited comment on the Region 27 Plan Amendment.<sup>8</sup> We received no comments on the Plan Amendment. We have reviewed the Plan Amendment submitted by Region 27, and conclude, based on the information before us, that it complies with FCC rules and policies. Accordingly, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.102(b) of the Commission's rules, 47 C.F.R. § 1.102(b), the Region 27 (Nevada) 800 MHz Public Safety Plan Amendment is APPROVED.

This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission's Rules, 47 C.F.R. §§ 0.191, 0.392.

Action by the Deputy Chief, Public Safety and Homeland Security Bureau.

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<sup>4</sup> See Development and Implementation of a Public Safety National Plan and Amendment to Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/866-869 MHz Bands by the Public Safety Services, Gen. Docket No. 87-112, *Report and Order*, 3 FCC Rcd 905 (1987) (*National Plan Report and Order*).

<sup>5</sup> See 47 C.F.R. § 90.16, Public Safety National Plan.

<sup>6</sup> See *National Plan Report and Order*, 3 FCC Rcd at 911 ¶ 57.

<sup>7</sup> See In the Matter of Nevada Public Safety Plan, PR Docket No. 92-268, *Order*, 8 FCC Rcd 606 (PRB 1993).

<sup>8</sup> See Comments Invited on Region 27 (Nevada) 800 MHz Regional Planning Committee Public Safety Plan Amendment, PR Docket No. 92-268, *Public Notice*, 21 FCC Rcd 13558 (PSHSB 2006). Comments were due December 22, 2006 and reply comments were due January 8, 2007.