



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES REGION 5 (SOUTHERN CALIFORNIA) 700 MHZ REGIONAL PLAN AMENDMENT

PS Docket No. 06-229 and WT Docket No. 02-378

By this *Public Notice*, the Public Safety and Homeland Security Bureau (Bureau) approves the amended 700 MHz regional plan submitted by the Region 5 (Southern California)¹ 700 MHz Regional Planning Committee (RPC) for General Use² spectrum in the 769-775/799-805 MHz band.³ Region 5's original Plan was approved in April 2004.⁴

On July 31, 2007, the Federal Communications Commission (Commission) adopted a *Second Report and Order* revising the rules governing wireless licenses in the 700 MHz band.⁵ The Commission adopted a plan for the 700 MHz band to establish a nationwide, interoperable public safety broadband communications network for the benefit of state and local public safety users. The Commission designated the lower half of the 700 MHz public safety band for broadband communications (763-768/793-798 MHz) and consolidated existing narrowband allocations in the upper half of the public safety 700 MHz band (769-775/799-805 MHz).

In revising the band plan for the public safety 700 MHz band, the Commission noted that consolidating the narrowband channels in the upper part of the band will impact approved and pending 700 MHz RPC plans. Accordingly, the Commission required RPCs with approved plans or plans on file to submit amended plans consistent with the decisions adopted in the *Second Report and Order* by

¹ Region 5 (Southern California) consists of ten counties: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernadino, San Diego, Kern, San Louis Obispo and Ventura.

² The General Use spectrum is administered by RPCs and licensed for public safety services on a site-by-site basis in accordance with the relevant Commission-approved regional plan and frequency coordination.

³ See Letter from David Buchanan, Region 5 700 MHz Regional Planning Committee, to Marlene H. Dortch, Secretary, Federal Communications Commission, WT Docket No. 02-378 (filed Jan. 31, 2008) (Plan Amendment).

⁴ See Region 5 (Southern California) 700 MHz Regional Committee Proposed Public Safety Plan, Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010, WT Docket No. 02-378, WT Docket No. 96-86, *Order*, 19 FCC Rcd 8110 (2004).

⁵ Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010, PS Docket No. 06-229, WT Docket No. 96-86, *Second Report and Order*, 22 FCC Rcd 15289 (2007) (*Second Report and Order*).

November 23, 2007.⁶ On November 9, 2007, the Bureau extended the deadline for RPCs to submit amended plans, consistent with the decisions adopted in the *Second Report and Order*, to January 31, 2008, and provided additional guidance for the development of plan amendments.⁷

On January 31, 2008, the Region 5 (Southern California) 700 MHz RPC filed an amendment to:

- Revise Plan Appendix A - Frequency Allocation List, to reflect the new consolidated narrowband allocations.⁸
- Advise that the State of California, Department of General Services (DGS), Telecommunications Division, had formally withdrawn its allocation of 120 General Use narrowband 6.25 kHz channels, as reflected in the April 2004 Region 5 approved plan.⁹ The revised Plan Attachment A – highlights the former State of California channels now available for re-allocation; subsequent plan amendments will reflect any such assignments.

The Plan Amendment was reviewed by, and letters of concurrence obtained from, all three regions adjacent to Region 5: Region 3 (Arizona); Region 6 (Northern California); and Region 27 (Nevada).¹⁰

On March 12, 2008, the Bureau solicited public comment on the Region 5 Plan Amendment.¹¹ We received no comments. We have reviewed the Region 5 Plan Amendment, 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 5 (Southern California) 700 MHz Public Safety Plan Amendment is APPROVED.

⁶ As of the adoption date of the *Second Report and Order*, the following regional plans had been approved: Region 5 (Southern California), Region 19 (New England), Region 24 (Missouri), Region 22 (Minnesota), Region 12 (Idaho), Region 39 (Tennessee), Region 43 (Washington), Region 41 (Utah), Region 3 (Arizona), and Region 40 (Northern Texas). The following regional plans were pending as of the adoption date of the *Second Report and Order*: Region 1 (Alabama), Region 27 (Nevada), Region 45 (Wisconsin), Region 7 (Colorado), Region 9 (Florida), Region 16 (Kansas), and Region 20 (Northern Virginia, Maryland and the District of Columbia).

⁷ See Public Safety and Homeland Security Bureau Announces an Extension of the Deadline for 700 MHz Regional Planning Committees to Amend 700 MHz Narrowband Plans from November 23, 2007 to January 31, 2008, PS Docket No. 06-229, WT Docket No. 96-86, *Public Notice*, 22 FCC Rcd 19461 (PSHSB 2007).

⁸ Plan Amendment Appendix A – Frequency Allocation List.

⁹ Plan Amendment Appendix C – Meeting Notices and Minutes. The January 16, 2008, meeting minutes include a copy of a letter from Gary R. Grootveld, Chief, Office of Public Safety Communications Services, DGS, dated Jan. 14, 2008 to the Region 5 RPC Chair.

¹⁰ Plan Amendment Appendix F – Inter-regional Coordination and Dispute Resolution Agreements; see 47 C.F.R. § 90.527(a)(5) (requiring that each regional planning committee provide an explanation of how its plan has been coordinated with adjacent regions).

¹¹ See Comments Invited on Region 5 (Southern California) 700 MHz Plan Amendment, PS Docket No. 06-229; WT Docket No. 02-378, *Public Notice*, 23 FCC Rcd 4024 (PSHSB 2008). Comments were due April 2, 2008 and reply comments were due April 14, 2008.

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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