



PUBLIC NOTICE

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May 17, 2013

PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON REGION 21 (MICHIGAN) 800 MHZ NPSPAC REGIONAL PLAN AMENDMENT

General Docket No. 90-221

Comments Due: June 6, 2013

Reply Comments Due: June 17, 2013

Introduction. On March 21, 2013, the Region 21 (Michigan)¹ 800 MHz NPSPAC Regional Planning Committee (RPC) submitted a proposed modification (Plan Amendment) to amend its 800 MHz Public Safety Plan, which was approved by the Commission on June 22, 1990.² The Plan Amendment consists largely of administrative updates and the following noted items:

- Provides a newly developed inter-regional dispute resolution/concurrence signed agreements between Region 14 (Indiana), Region 33 (Ohio), Region 45 (Wisconsin) and Region 54 (Great Lakes Region).³
- Modifies the channel allocations to provide resources for developing systems. All channels covered under this plan are considered a pool available to any applicant satisfying the requirements of this plan.⁴ An updated allocation channel sort is available in Appendix C – Channel Assignments by County.
- Revises Plan Appendix D - Bylaws to serve both the 700 MHz and 800 MHz NPSPAC regional planning committees.⁵
- Removes the application filing window process, replacing it with application review at scheduled RPC meetings.⁶

¹ The Region 21 (Michigan) 800 MHz regional planning area consists of all the Upper Peninsula and all counties in the Lower Peninsula except the counties of Allegan, Barrien, Barry, Cass, Kalamazoo, Ottawa, St. Joseph, and Van Buren, which are part of Region 54 (Great Lakes Area).

² See Letter from Keith Bradshaw, Chair, Region 21 800 MHz Regional Planning Committee, to Marlene H. Dortch, Secretary, Federal Communications Commission, General Docket 90-221 (filed Mar. 21, 2013) (Plan Amendment).

³ See Plan Amendment, Appendix A – Inter-Regional Dispute Resolution/Concurrence ((signed agreements between Region 21 and Region 14 (Indiana), Region 33 (Ohio), Region 45 (Wisconsin) and Region 54 (Great Lakes Area)).

⁴ See Plan Amendment, Appendix C – Channel Assignments by County; see also, Plan Amendment - Frequency Assignment Criteria at 12-13.

⁵ See Plan Amendment, Appendix D – Committee Structure and By-Laws.

- Provides an updated 8CALL System Mutual Aid Map.⁷
- Adds two new sections: International Treaty Considerations⁸ (alerts applicants to specific obligations for users north of “Line A”) and Spectrum Efficient Technologies (requires systems of more than five or more channels to use of spectrum efficient technologies).
- Changes the propagation model from Okimura-Hata to modified R-6602 or any other methodology as provided for in TSB-88.⁹

In accordance with the National Public Safety Plan, each region is responsible for planning its use of the public safety radio frequency spectrum (subsequently, rebanded to the 806-821/824/851-869 segment).¹⁰ The Region 21 Planning Committee proposes these modifications to bring the Plan up to date to reflect the current conditions in the communications landscape and to reconcile language differences between the 700 MHz and 800 MHz NPSPAC regional plans to improve upon the application process, spectrum management, and over all utilization. All four regions adjacent to Region 21 -- Region 14 (Indiana), Region 33 (Ohio), Region 45 (Wisconsin), and Region 54 (Great Lakes Area) -- have reviewed and provided letters of concurrence in support of the Plan Amendment. We have reviewed the Region 21 Plan Amendment and find it to be compliant with the applicable Commission rules and policies, and tentatively accept the Plan Amendment.

Request for Comments on the Region 21 800 MHz NPSPAC Plan Amendment. Prior to taking further action on the Plan Amendment, by this Public Notice we solicit comments on the Region 21 Plan Amendment. Pursuant to Sections 1.415 and 1.419 of the Commission’s rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on the plan amendment on or before **June 6, 2013**. Parties interested in submitting reply comments must do so on or before **June 17, 2013**. All comments and reply comments should reference the subject plan amendment and **General Docket No. 90-221**. Parties may file comments and reply comments by using (1) the Commission’s Electronic Comment Filing System (ECFS), (2) the Federal Government’s eRulemaking Portal, or (3) by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- Electronic Filers: Comments and reply comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

⁶ See Plan Amendment, Application Process at 9.

⁷ See Plan Amendment, Appendix E – 8CALL System Map.

⁸ See Plan Amendment, International Treaty Considerations at 12.

⁹ See Plan Amendment, Coverage and Interference Considerations at 13.

¹⁰ See Development and Implementation of a Public Safety National Plan and Amendment of Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/766-869 MHz Bands by the Public Safety services, *Report and Order*, General Docket No. 87-112, 3 FCC Rcd 905 (1987). The band was modified by the Commission in the *Rebanding* proceeding, WT Docket 02-55, by shifting the NPSPAC band down by 15 megahertz to 806-824/851-869 MHz.

- For ECFS Filers: In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an email to ecfs@fcc.gov and include the following words in the body of the message: “get form.” A sample form and directions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing.

Commenters may send filings by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). Commenters must address all filings to: Secretary, Office of the Secretary, Federal Communications Commission.

- Effective December 28, 2009, commenters must submit all hand-delivered or messenger-delivered paper filings for the Commission’s Secretary to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. **PLEASE NOTE:** The Commission’s former filing location at 236 Massachusetts Avenue, NE is permanently closed.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.
- People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

Commenters must address all filings to the Commission’s Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, D.C. 20554. Parties must also serve one copy with the Commission’s copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via email to fcc@bcpiweb.com.

The Plan Amendment is available through ECFS at ecfs@fcc.gov. Region 21 Plan documents in **General Docket No. 90-221** are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, email fcc@bcpiweb.com.

For further information regarding this matter, contact Jeannie Benfaida, Policy and Licensing Division, Public Safety and Homeland Security Bureau at (202) 418-2313 or Jeannie.Benfaida@fcc.gov.

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