



# PUBLIC NOTICE

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## PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES REGION 21 (MICHIGAN) 800 MHZ NPSPAC REGIONAL PLAN AMENDMENT

### General Docket No. 90-221

*Introduction.* On March 21, 2013, the Region 21 (Michigan)<sup>1</sup> 800 MHz National Public Safety Plan Advisory Committee (NPSPAC) Regional Planning Committee (RPC) submitted a proposed modification (Plan Amendment)<sup>2</sup> to amend its 800 MHz Public Safety Plan.<sup>3</sup> For the reasons discussed below, we approve the Region 21 800 MHz NPSPAC Plan Amendment.

*Background.* In accordance with the National Public Safety Plan, each region is responsible for planning its use of the public safety radio frequency spectrum (rebanding to the 806-824/851-869 segment).<sup>4</sup>

*Review of the Region 21 Plan Amendment.* The Plan Amendment consists largely of administrative updates and several noted items. All four regions adjacent to Region 21 -- Region 14 (Indiana), Region 33 (Ohio), Region 45 (Wisconsin), and Region 54 (Great Lakes Area) -- reviewed and provided letters of concurrence in support of the Plan Amendment.

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<sup>1</sup> 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).

<sup>2</sup> See Letter from Keith Bradshaw, Chair, Region 21 800 MHz Regional Planning Committee, to Marlene H. Dortch, Secretary, Federal Communications Commission, General Docket No. 90-221 (filed Mar. 21, 2013) (Plan Amendment).

<sup>3</sup> The Region 21 (Michigan) 800 MHz NPSPAC Plan was adopted by the Commission's Private Radio Bureau (PR) on June 22, 1990. See Region 21 (Michigan) National Public Safety Plan Advisory Committee 800 MHz Regional Plan, Order, General Docket No. 90-221, 5 FCC Rcd 4031 (PR 1990).

<sup>4</sup> 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.

The Plan Amendment modifies the Region 21 NPSPAC Plan as follows:

- Provides a newly developed inter-regional dispute resolution/concurrence agreement signed by Region 14 (Indiana), Region 33 (Ohio), Region 45 (Wisconsin) and Region 54 (Great Lakes Region).<sup>5</sup>
- Modifies the channel allocations for developing systems. All channels covered under this plan are considered a pool available to any applicant satisfying the requirements of this plan.<sup>6</sup> 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.<sup>7</sup>
- Replaces the former application filing window process with an application review process at scheduled RPC meetings.<sup>8</sup>
- Updates 8CALL System Mutual Aid Map.<sup>9</sup>
- Adds two new sections: International Treaty Considerations<sup>10</sup> (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 by allowing any other methodology as provided for in TSB-88.<sup>11</sup>

On May 17, 2013, we placed the Region 21 Plan Amendment on *Public Notice* for comment.<sup>12</sup> We received no comments. We have reviewed the Region 21 Plan Amendment, and conclude, based on the information before us that it complies with Commission 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 21 (Michigan) 800 MHz NPSPAC Public Safety Plan Amendment is APPROVED.

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<sup>5</sup> 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)).

<sup>6</sup> See Plan Amendment, Appendix C – Channel Assignments by County; *see also*, Plan Amendment - Frequency Assignment Criteria at 12-13.

<sup>7</sup> See Plan Amendment, Appendix D – Committee Structure and By-Laws.

<sup>8</sup> See Plan Amendment, Application Process at 9.

<sup>9</sup> See Plan Amendment, Appendix E – 8CALL System Map.

<sup>10</sup> See Plan Amendment, International Treaty Considerations at 12.

<sup>11</sup> See Plan Amendment, Coverage and Interference Considerations at 13.

<sup>12</sup> See Public Safety and Homeland Security Bureau Seeks Comments on Region 21 (Michigan) 800 MHz NPSPAC Regional Plan Amendment, General Docket No. 90-221, *Public Notice*, DA 13-1134 (rel. May 17, 2013) (PSHSB 2013). Comments were due June 6, 2013, and, reply comments were due June 17, 2013.

We take this action 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 Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau.

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