



# PUBLIC NOTICE

Federal Communications Commission  
45 L St., N.E.  
Washington, D.C. 20554

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

DA 22-884  
Released: August 24, 2022

## PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES REGION 39 (TENNESSEE) 800 MHZ NPSPAC REGIONAL PLAN AMENDMENT

### PR Docket No. 93-58

*Introduction.* By this *Public Notice*, the Public Safety and Homeland Security Bureau (Bureau) approves the Region 39 (Tennessee)<sup>1</sup> Regional Planning Committee's (RPCs) proposed modifications to its 800 MHz National Public Safety Planning Advisory Committee (NPSPAC) Plan.<sup>2</sup>

*Background.* The Commission's policies require the RPCs to prepare and submit regional plans for public safety use of the NPSPAC band in their respective Regions.<sup>3</sup> The RPCs may update their regional plans as needed to reflect changes in the disposition of NPSPAC channels within the region, technical requirements, or procedures for assigning channels.<sup>4</sup>

*Region 39 Amendment.* On January 21, 2021, the RPC submitted an amendment to the Region 39 - 800 MHz NPSPAC Plan. In its amendment, the RPC proposes to assign additional NPSPAC channels to Davidson County (Appendix D) and modify the text of the plan to, among other things:

- Update section 3.4.3 by adding "in-building" coverage as a variable for determining system coverage;<sup>5</sup>
- Modify the ways an entity can define its coverage area in section 3.4.5;<sup>6</sup>
- Specify in section 3.4.8 that use of the five nationwide interoperability channel pairs will be coordinated with adjacent regions;<sup>7</sup>

<sup>1</sup> The Region 39 (Tennessee) 800 MHz regional planning area encompasses the entire state of Tennessee.

<sup>2</sup> See Region 39 NPSPAC Plan Update, PR Docket No. 93-58 (dated Oct. 1, 2020 but filed in the docket on Feb. 24, 2021) (Plan Amendment).

<sup>3</sup> See 47 CFR § 90.16 (no assignments will be made in spectrum designated for the Public Safety National Plan until a regional plan for the area has been accepted by the Commission); see also *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 821-824/866-869 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>4</sup> See *National Plan Report and Order*, 3 FCC Rcd at 911 para. 57.

<sup>5</sup> Plan Amendment at 9-10.

<sup>6</sup> *Id.* at 11.

<sup>7</sup> *Id.* at 11-12.

- Give special consideration to licensees seeking mobile repeater (MO3) operation on NPSPAC channels in order to ensure proper frequency separation;<sup>8</sup>
- Clarify criteria for determining co-channel or adjacent-channel interference;<sup>9</sup>
- Revise section 4.1.5 to prohibit use of encryption on the nationwide interoperability tactical channels per the Commission's rules;<sup>10</sup>
- Clarify in section 4.3 that the nationwide interoperability channels may not be used as trunked channels in a trunked radio network;<sup>11</sup>
- Add a new section 4.7 to clarify acceptable emissions for analog and digital radio systems; and<sup>12</sup>
- Add additional language to section 5.2 detailing the region's frequency allocation process.<sup>13</sup>

Region 39's RPC received concurrence letters for the proposed Plan Amendment from its eight adjacent regions: Region 1 (Alabama), Region 4 (Arkansas); Region 10 (Georgia); Region 17 (Kentucky); Region 23 (Mississippi); Region 24 (Missouri); Region 31 (North Carolina); and Region 42 (Virginia – except counties in Region 20) as well as from two non-border regions: Region 37 (South Carolina) and Region 44 (West Virginia).<sup>14</sup>

On June 16, 2022, the Bureau released a *Public Notice* seeking comment on the amended Region 39 Plan.<sup>15</sup> We received one comment from NRPC Chairman, Charles V. Bryson in support of Region 39 proposed modifications.<sup>16</sup> We have reviewed the Region 39 NPSPAC Plan Amendment, and conclude, based on the information before us that it complies with FCC rules and policies.

---

<sup>8</sup> *Id.* at 13.

<sup>9</sup> *Id.* at 13-14.

<sup>10</sup> *Id.* at 17-18.

<sup>11</sup> *Id.* at 18-19.

<sup>12</sup> *Id.* at 21.

<sup>13</sup> *Id.* at 22-23.

<sup>14</sup> See Letter from Richard E. Ranson, Chairman Region 1, to Region 39 RPC, PR Docket No. 93-58 (Dec. 22, 2020); Letter from David Baker, Chairman Region 4, to Region 39 RPC, PR Docket No. 93-58 (Oct. 19, 2020); Letter from Ralph Bevan, Chairman Region 10, to Region 39 RPC, PR Docket No. 93-58 (Nov. 16, 2020); Letter from Michael B. Marshall, Vice Chairman Region 17, to John Johnson, Region 39 RPC, PR Docket No. 93-58 (Nov. 18, 2020); Letter from Tom Lariviere, MSRPAC Region 23, to John Johnson, PR Docket No. 93-58 (Dec. 18, 2020); Letter from Scott Bigham, Chairman Region 24, to Region 39 RPC, PR Docket No. 93-58 (Oct. 21, 2020); Letter from Scott Smith, Chairman Region 31, to Region 39 RPC, PR Docket No. 93-58 (Nov. 17, 2020); Letter from Linn Skipper, Chairman Region 37, to Region 39 RPC, PR Docket No. 93-58 (Oct. 6, 2020); Letter from Rodney Thompson, Chairman Region 42, to Region 39 RPC, PR Docket No. 93-58 (Oct. 1, 2020); Letter from Dave Saffel, Chairman Region 44, to Region 39, 800 MHz RPC, PR Docket No. 93-58 (Nov. 16, 2020) (collectively filed Feb. 25, 2021 as an attachment to redline version of the Plan Amendment at 59-68).

<sup>15</sup> See *Public Safety and Homeland Security Bureau Seeks Comments on Region 39 (Tennessee) 800 MHz NPSPAC Regional Plan Amendment*, PR Docket No. 93-58, Public Notice, DA 22-644 (PSHSB Jun. 16, 2022).

<sup>16</sup> See Comments of the National Regional Planning Council (NRPC), PR Docket No. 93-58 (rec. Jul. 13, 2022).

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 CFR § 1.102(b), the Region 39 (Tennessee) 800 MHz NPSPAC 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 CFR §§ 0.191, 0.392.

Action by the Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau

- FCC -