**DA 23-55**

**Released: January 20, 2023**

**Public safety and homeland security bureau seeks COMMENT ON REGION 34 (OKLAHOMA) 700 mhz regional plan UPDATE**

**WT Docket No. 02-378**

**Comments Due: February 21, 2023**

**Reply Comments Due: March 8, 2023**

*Introduction.* By this Public Notice, the Public Safety and Homeland Security Bureau (Bureau) seeks comment on the Region 34 (Oklahoma)[[1]](#footnote-3) – Regional Planning Committee (RPC) proposed modifications to its 700 MHz Public Safety Plan (Plan) for General Use[[2]](#footnote-4) spectrum in the narrowband segment of the 700 MHz band (769-775/799-805 MHz).[[3]](#footnote-5)

*Background.* In 1998, the Commission established a structure to allow RPCs optimal flexibility to meet state and local needs, encourage innovative use of narrowband spectrum in the 700 MHz band, and accommodate new and as yet unanticipated developments in technology and equipment.[[4]](#footnote-6) Each of the fifty-five (55) RPCs is required to submit its plan for General Use spectrum.[[5]](#footnote-7) The Commission’s role in relation to the RPCs is limited to (1) defining the regional boundaries; (2) requiring fair and open procedures, *i.e.*, requiring notice, opportunity for comment, and reasonable consideration; (3) specifying the elements that all regional plans must include; and (4) reviewing and accepting proposed plans (or amendments to approved plans) or rejecting them with an explanation.[[6]](#footnote-8)

*The Region 34 700 MHz Plan Update.* On January 12, 2021, the RPC submitted an amendment to the Region 34 – 700 MHz Plan.[[7]](#footnote-9) In its amendment, the RPC proposes, among other things, to:

* Indicate that all “Pre-Assignment” channel pools have expired and that the RPC will now process all applications for General Use channels on a first-come, first-served basis;[[8]](#footnote-10)
* Incorporate the State License channels into its plan but reserve them for site-by-site licensing to the state until all other “General Access” channels are allotted to other licensees;[[9]](#footnote-11)
* Specify that operation on interoperability channels will be guided by the most recent version of the National Interoperability Field Operations Guide (NIFOG), the State of Oklahoma Statewide Communications Interoperability Plan (SCIP) and local Tactical Interoperability Communications Plans (TICP);[[10]](#footnote-12)
* Incorporate the Air-to-Ground and former Reserve channels into its plan;[[11]](#footnote-13)
* Designate six former Reserve channels for deployable trunked systems;[[12]](#footnote-14)
* Allow meetings of the RPC to be held in person or virtual.[[13]](#footnote-15)

Region 34’s RPC received concurrence letters for the proposed Plan Amendment from its nine adjacent regions: Region 4 (Arkansas), Region 7 (Colorado), Region 16 (Kansas), Region 18 (Louisiana), Region 24 (Missouri), Region 29 (New Mexico), Region 40 (Texas - Dallas), Region 50 (Texas - El Paso), Region 52 (Texas - Lubbock).[[14]](#footnote-16)

We have reviewed the Region 34 Plan Amendment and find that it sufficiently complies with the applicable Commission rules and policies, and tentatively accept it.

*Request for Comments on the Region 34 Plan Amendment.*Prior to taking further action on the RPC’s proposal to amend its 700 MHz plan, by this *Public Notice*, we solicit comment on the Region 34 Plan Amendment. The Plan Amendment is available through ECFS at ecfs@fcc.gov under WT Docket No. 02-378.

Instructions for Filing Comments

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 Region 34 700 MHz Plan Amendment on or before **February 21, 2023**, and reply comments on or before **March 8, 2023**.All comments and reply comments should reference the subject Plan and **WT Docket No. 02-378**.

* Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
* Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail.
* Filings can be sent by commercial overnight courtier or by first-class or overnight U.S. Postal Service mail.[[15]](#footnote-17)
* Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
* U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L St, NE, Washington, DC 20554.

*People with Disabilities*. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

For further information regarding this matter, contact Brian Marenco, Electronics Engineer, Policy and Licensing Division, Public Safety and Homeland Security Bureau at (202) 418-0838 or Brian.Marenco@fcc.gov.

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1. The Region 34 (Oklahoma) 700 MHz regional planning area includes the entire state of Oklahoma. [↑](#footnote-ref-3)
2. The General Use spectrum is administered by RPCs and is licensed for public safety services on a site-by-site basis in accordance with the relevant Commission-approved regional plan and frequency coordination. [↑](#footnote-ref-4)
3. *See* Letter from Scott Walsh, Chair, Regional Planning Committee 34, to Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, WT Docket No. 02-378 (dated Jan. 12, 2021) (Cover Letter). *See also* Region 34 700 MHz Plan Update, WT Docket 02-378 (filed Jan. 12, 2021) (Plan Amendment). [↑](#footnote-ref-5)
4. *See Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010*, First Report and Order and Third Notice of Proposed Rulemaking*,* 14 FCC Rcd 152 (1998) (*First Report and Order*); Second Memorandum Opinion and Order*,* 15 FCC Rcd 16844 (2000). *See also* 47 CFR § 90.527. [↑](#footnote-ref-6)
5. *See* 47 CFR § 90.527. [↑](#footnote-ref-7)
6. *First Report and Order*, 14 FCC Rcd at 195 para. 87. [↑](#footnote-ref-8)
7. *See* Cover Letter and Plan Amendment. [↑](#footnote-ref-9)
8. *Id.* at 12, 32. [↑](#footnote-ref-10)
9. *Id.* at 32. *See also* 47 CFR § 90.531(b)(5) (listing all State License channels). [↑](#footnote-ref-11)
10. Plan Amendment at 42-44. [↑](#footnote-ref-12)
11. *Id.,* Appendix D at 61-62. *See also* 47 CFR § 90.531(b)(2), (b)(7) (listing all Air-to-Ground and former Reserve channels). [↑](#footnote-ref-13)
12. Plan Amendment, Appendix D at 64, 65, 66, 67, 92, and 94. The deployable trunked channels coincide with recommendations from National Public Safety Telecommunications Council and the National Regional Planning Council. *See Public Safety and Homeland Security Bureau Approves Recommended Nationwide Channels for Deployable Trunked Systems in the 700 MHz Narrowband Public Safety Band*, Public Notice, WT Docket 02-378, 30 FCC Rcd 3723 (PSHSB 2015). [↑](#footnote-ref-14)
13. Plan Amendment at 9. [↑](#footnote-ref-15)
14. *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, MSRPFAC 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). [↑](#footnote-ref-16)
15. In response to the COVID-19 pandemic, the FCC has closed its current hand-delivery filing location at FCC Headquarters. We encourage outside parties to take full advantage of the Commission’s electronic filing system. Any party that is unable to meet the filing deadline due to the building closure may request a waiver of the comment or reply comment deadline, to the extent permitted by law. *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Filing*,Public Notice, DA 20-304 (rel. Mar. 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.  [↑](#footnote-ref-17)