

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

**Region 40 Regional Planning Committee Request for Waiver (Extension of Time) in
Filing Amended Plan Conforming to the Report and Order Adopted April 20, 2015**

**PS Docket 13-87
DA 15-476**

Request for an Extension of Time

The Region 40 Regional Planning Committee (Region 40) respectfully requests an extension of time to modify its regional plan due to the reassignment by the Federal Communications Commission (the Commission) of former 700 MHz reserve channels for general use with a priority given to existing licensees in the 470-512 MHz band (T-band).

The Commission issued DA-15-476 on April 20, 2015 that specifies a deadline of October 30, 2015 for regional plan amendments to be submitted for approval.

Region 40 will be unable to submit their amended plan by the deadline and requests an additional six (6) months of time for plan approval by surrounding regions.

Discussion

Despite all due diligence, Region 40 will be unable to submit an amended plan complete with surrounding Regional Planning Committees (RPC's) concurrence prior to the deadline of October 30, 2015.

As with other RPC's, Region 40's committee is comprised of volunteers who are employed by various public safety agencies. Extenuating circumstances, such as those that present a wide-scale impact on the protection of life and property, must take precedence over volunteer duties.

In October, 2014, the Dallas/Fort Worth area, within Region 40, sustained an outbreak of the Ebola virus. The response needed to address the eventually successful defeat of this deadly outbreak was widespread and required the time and attention of most agencies in the area responsible for the protection of life and property. The defense of this outbreak continued for well over three weeks.

Floods inundated almost the entire state of Texas during the month of May, 2015. Indeed, the destruction and deaths were sufficient for Texas to receive a declaration from President Obama as a federal disaster area. The floods further stressed virtually all agencies responsible for the protection of life and property for the month of May and longer.

The responses to these large-scale incidents required the time and expertise of Region 40 committee members working on the task of amending the regional plan.

Texas is a state containing no less than six (6) RPC's. Indeed, Region 40 finds itself surrounded by seven (7) RPC's, including those in three states (Oklahoma, Arkansas, and Louisiana) from which it must receive concurrence of its amended plan.

While the amended plan can now be sent for adjacent region approval, if past history is any indication, Region 40 does not see receiving these concurrences in any expeditious manner.

Region 40 believes that an additional six months (until April 30, 2016) will be required to secure surrounding RPC concurrences.

Summary

Region 40 serves agencies with existing T-band licenses and wishes for those agencies to have priority for the allocation of the 24 reserve channels in 700 MHz.

Region 40 will be unable to submit an amended plan with surrounding RPC approvals by the deadline of October 30, 2015.

Due to the mitigating factors listed above, Region 40 believes that the granting of this waiver request would be in the public interest and that denial of the waiver request would be contrary to the public interest and that Region 40 has no reasonable alternative.

Respectfully,

A handwritten signature in cursive script that reads "Wanda McCarley". The signature is written in black ink and is positioned below the "Respectfully," text.

Wanda McCarley
Chairperson
Region 40, Regional Planning Committee