



PUBLIC NOTICE

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DA 04-2127
July 14, 2004

WIRELESS TELECOMMUNICATIONS BUREAU ACTION

REGION 36 (WESTERN PENNSYLVANIA) RECEIVES APPROVAL FOR MINOR AMENDMENTS TO ITS (800 MHz) PUBLIC SAFETY REGIONAL PLAN (PR DOCKET NO. 92-274)

By this *Public Notice*, the Wireless Telecommunications Bureau (Bureau) announces that the Region 36 (Western Pennsylvania) Public Safety Regional Planning Committee's proposal to amend the Region 36 (800 MHz) Public Safety Regional Plan is approved. On December 24, 2003, Region 36 filed an amendment to its Public Safety Plan that provides a new allocation method, changing from its current "comparative window allocation process" to a "first-in/first-out" process, and modifies the allocation matrix of the National Public Safety Planning Advisory Committee (NPSPAC) Region 36 Plan.¹ Specifically, the amendment modified the Region's frequency allocation tables to provide new assignments in Westmoreland and Allegheny Counties, and added channels in the Commonwealth of Pennsylvania existing statewide system.²

In accordance with the National Public Safety Plan, each region is responsible for planning its use of public safety radio frequency spectrum in the 821-824/866-869 MHz band.³ The Region 36 Plan was originally adopted by the Commission on February 1, 1993.⁴

¹ See Letter dated Dec. 19, 2003, from Donald R. Appleby, Chairman, NPSPAC Region 36 Public Safety Planning Committee - Western Pennsylvania, to Marlene H. Dortch, Secretary, FCC (Letter) (submitting the Region 36 Petition to Modify NPSPAC Region 36 Plan with the Addition of New Allocations and Change in the Allocation Method for future allotments) filed Dec. 24, 2003.

² See Region 36 NPSPAC Plan Amendment at Appendix 1.

³ See Development and Implementation of a Public Safety National Plan and Amendment to 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*, Gen. Docket No. 87-112, 3 FCC Rcd 905 (1987).

⁴ See Western Pennsylvania Public Safety Plan, *Order*, PR Docket No. 92-274, 8 FCC Rcd 798 (1993).

On March 25, 2004, the Bureau issued a *Public Notice* (DA 04-775) inviting interested parties to file comments regarding a proposed amendment to the Region 36 Plan.⁵ We received no comments in response to the *Public Notice*. A review of the record indicates that Region 36 obtained the required letters of concurrence approving its proposed amendment from its adjacent regions.⁶ Also, we note Region 36's rationale for changing its long-standing comparative window application process is due in part to the recognition that the remaining amount of spectrum available for future allotments is very small and only available in specific geographic areas of the Region. In addition, Region 36 states that its new "first-in/first-out" allocation process will better serve the needs of its public safety community.⁷ Accordingly, the amendment is accepted and approved as submitted. The Secretary's office will place the amended Region 36 Plan in the official docket file where it will remain available to the public.

Questions regarding this *Public Notice* may be directed to Jeannie Benfaida, Wireless Telecommunications Bureau, at (202) 418-2313, or via email to Jeannie.Benfaida@fcc.gov.

Action by Assistant Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau.

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⁵ See Wireless Telecommunications Bureau Action, Comments Invited on Western Pennsylvania (Region 36) Public Safety Regional Plan Amendment, *Public Notice*, PR Docket 92-274, 19 FCC Rcd 5324 (WTB 2004). Comments were due April 24, 2004 and reply comments by May 10, 2004.

⁶ Region 36 is surrounded by five planning regions: Ohio – Region 33; Western New York Region 55; West Virginia Region 44 and Maryland/Northern Virginia Region 20.

⁷ See Amendment at 3.