

## NPSPAC Region 43 Regional Planning Committee

c/o Steve Taylor, Chairperson  
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March 27, 2006

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

RE: Region 43 800 MHz NPSPAC Plan – PR Docket 91-270

Dear Ms. Dortch,

When the Region 43 800 MHz Plan was originally adopted the Committee established a framework for handling requests for channel assignments on a semi-annual basis. At that time it was believed that we would have numerous competing applications for the limited spectrum at our disposal in the urbanized areas that lie in Canadian Border Sharing Region 5, and we felt that having these two prescribed filing windows would allow us to concentrate applications together and apply scoring criteria so that the most appropriate allocation of spectrum could take place given the Plan parameters.

While this process has served us well, we now find that with the spectrum fully deployed in virtually all the urbanized areas in the Region we have a growing number of small 'filler site' applications needing processed by incumbent licensees. Often these have very low coverage profiles and can be met with careful engineering of close-spaced channel adjacencies. Licensees in the Region find it cumbersome to have to wait for the semi-annual filing windows.

We also now face the impacts of the 800 MHz re-banding effort. Of particular importance is that Region 43 (in Wave 4 due to being a Canadian border area) borders Region 35 (Oregon) which is in Wave 1. Given that both Regions have several systems in the border area with overlapping coverage (some even have sites on the other side of the Columbia river to provide coverage back across to their jurisdiction) we find that there will need to be a number of license modifications by incumbents in Region 43, both in preparation for re-banding and then in the re-banding process itself.

Therefore, at the April 27, 2005 and June 29, 2005 meetings of the Committee, we discussed the need to end the semi-annual filing window concept and begin processing requests for channel assignments on a monthly basis. This was formalized in a Motion at our June 29, 2005 meeting that passed unanimously.

Currently, Section III D of the Plan reads as follows:

#### **D. APPLICATION FILING WINDOWS AND CRITERIA FOR PRIORITIZATION**

Applications for frequencies covered by this Plan will be processed by the Regional Review Committee two (2) times per year. These periods will be referred to as Filing Windows. The purpose of processing applications in this manner is to allow the Committee to better understand the needs of the applicants and make informed decisions on the distribution of frequencies where the demand exceeds the supply. The deadline for applications for each Filing Window will be March 31 and September 30. The Committee shall review all applications received by these dates and act on these no later than May 31 and November 30, respectively. Deliberations may include meetings where the Committee takes testimony from interested parties. Further details will be defined in the Committee's Application Review Procedures document.

We propose to revise this to read as follows:

Applications for frequencies covered by this Plan will be processed by the Regional Planning Committee at any formally called meeting of the Committee, typically monthly. Any applications received more than five (5) working days in advance of the scheduled meeting will be considered at that meeting, but final decision may be delayed until subsequent meetings if further facts or information are needed by the Committee to make a decision. Applications received five (5) working days or less before the meeting will be heard at the subsequent meeting. Further details will be defined in the Committee's Application Review Procedures document.

In addition to the actions at the April and June meetings, the Committee reviewed this specific language at their July 27, 2005 meeting and unanimously approved it for transmittal to the FCC for acceptance. Subsequent to this action, concurrence letters were requested from our two border regions, Region 12 (Idaho) and Region 35 (Oregon). Copies of those concurrence letters are attached for your reference.

Please advise me of any further information you need to allow the FCC to expeditiously process and approve this Plan Revision for Region 43.

Sincerely,

Steve Taylor  
Region 43 800 MHz Chair