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DEC 26 2006
FCC - MAILROOM

REQUEST FOR WAIVER

TO: Ms. Marlene H. Dortch, Secretary
Federal Communications Commission, Office of the Secretary
445 Twelfth Street, S.W.
Washington, D.C. 20554

FROM: Harold Mays, Program Manager- Executive Program Management Office,
Bureau of Communications and Computer Services - State of Illinois

DATE: December 20, 2006

SUBJECT: Request for Waiver of Section 90.179 of the FCC's Rules by Ameren in the State of Illinois

06-229
96-86

AmerenIP, AmerenCIPS and AmerenCILCO, collectively, "Ameren," are the principal providers of electric and gas utility service in the State of Illinois. Ameren fully supports the request of the State of Illinois for a waiver of Section 90.179 of the Commission's rules in order to permit Ameren to participate with public safety, homeland security, and other state agencies in Illinois in the statewide telecommunications network known as STARCOM21.

In September of 2001, the State of Illinois entered into a contract with Motorola to develop and deploy a statewide Public Safety telecommunications network, which is known as STARCOM21. STARCOM21 will utilize channels in the 700 and 800 MHz bands to create a statewide, integrated network that will enhance interoperability among all Public Safety agencies in the state and vastly improve Illinois's ability to respond to natural disasters, acts of terrorism, and technological or chemical catastrophes.

The scope of the STARCOM21 network is currently being expanded to include not only the Illinois State Police and other state agencies and federal, county and local government agencies, but also public utilities like Ameren. As a critical infrastructure



ILLINOIS

Rod R. Blagojevich, Governor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Paul J. Campbell, Director

I will be the FCC's primary contact for information regarding the State of Illinois' request.

My contact information is as follows:

Harold Mays, PMP
Central Management Services- BCCS
100 W. Randolph St, Suite 2-201
Chicago, IL 60601
Phone: 217-836-0190

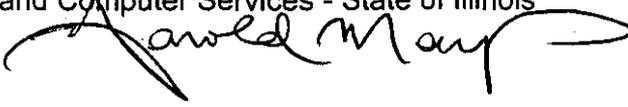
Thanks in advance for your consideration.



TRANSMITTAL LETTER

TO: Ms. Marlene H. Dortch, Secretary
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445 Twelfth Street, S.W.
Washington, D.C. 20554

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Bureau of Communications and Computer Services - State of Illinois

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SUBJECT: Request for Waiver of Section 90.179 of the FCC's Rules by Ameren in the
State of Illinois

The following submission contains information that supports the State of Illinois' desire to receive a waiver of Section 90.179 of the FCC's rules. This waiver would be used to allow Ameren to share the use of public safety frequencies in the 700/800 MHz band that will be used in the State of Illinois' statewide radio network.

The following submission contains:

- 1) An official request for waiver of Section 90.179 of the FCC's rules which provides specifics that satisfies the waiver requirements.
- 2) A detailed listing of the call signs and frequencies affected by this waiver.
(Attachment A and B)
- 3) A copy of the minutes from the November meeting of the Regional Conformance Review Committee of Region 13 where approval of the State's proposal to allow Ameren Energy to operate on its network subject to legal and operational requirements being met was given. **(Attachment C)**
- 4) A copy of a letter of support from the system owner and administrator, Motorola Inc.
(Attachment D)



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In September of 2001, the State of Illinois entered into a contract with Motorola to develop and deploy a statewide Public Safety telecommunications network, which is known as STARCOM21. STARCOM21 will utilize channels in the 700 and 800 MHz bands to create a statewide, integrated network that will enhance interoperability among all Public Safety agencies in the state and vastly improve Illinois's ability to respond to natural disasters, acts of terrorism, and technological or chemical catastrophes.

The scope of the STARCOM21 network is currently being expanded to include not only the Illinois State Police and other state agencies and federal, county and local government agencies, but also public utilities like Ameren. As a critical infrastructure



provider, Ameren operates a wide area radio network in the 800 MHz band. The call signs and frequencies of the stations licensed to and operated by Ameren, and which would be available for use in the STARCOM21 network, are listed on the attachment to this letter as well as those being used on the STARCOM21 network itself.

Ameren's electric power and natural gas service maintenance and restoration efforts must be coordinated with public safety and homeland security functions in the event of the kinds of events mentioned above. There is a natural fit between public utilities and Public Safety agencies that compels all of these entities to work together. It makes sense to integrate the communications capabilities of these entities as well.

Ameren provides electric and gas utility service to virtually all of central and southern Illinois. Ameren could contribute as many as 49 channels in the 800 MHz band to the network, which would greatly enhance the system's capacity and coverage and improve interoperability with agencies and utilities in other states, including AmerenUE's utility operations in neighboring Missouri. Similarly, the citizens of Illinois would benefit from Ameren's improved outage response in less widespread events.

Public safety agencies are already permitted by Section 90.179 (h) of the Commission's rules to share Ameren's frequencies, but Ameren cannot share Public Safety frequencies in the STARCOM21 network without a waiver of Section 90.179(a) of the Commission's rules, which requires Ameren to be eligible for licensing in its own right in order to share the use of Public Safety frequencies. Ameren is not eligible under Section 90.20 of the Commission's rules to be licensed on frequencies contained in the Public



Safety Pool. The State of Illinois believes that a waiver to permit such sharing is justified and in the public interest.

With regard to operations in the 700 MHz band, Ameren would be eligible for licensing – and, therefore, use of frequencies in this band – under Section 90.523(b) of the Commission's rules because a principal purpose of Ameren's service as an operator of critical infrastructure is the protection of life, health and property of the citizens of Illinois. The STARCOM network only uses one call sign in the 700 MHz band, WPTZ798. This call sign utilizes a blanket 700 MHz license.

The standards to obtain a waiver are set forth in Section 1.925(b)(3) of the Commission's rules. Under that section, an applicant for a waiver must show either that the underlying purpose of the rule would not be served or would be frustrated by application of the rule to the instant case, and that a grant of the requested waiver would be in the public interest; or that, in view of unique or unusual factual circumstances of the case, application of the rule would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative.

The purpose of Section 90.179(a) is to ensure that there is adequate spectrum for each service category (i.e., Public Safety and Business/Industrial) and to avoid interference to communications from incompatible services. *In re Douglas Electric Cooperative*, DA 06-1996, released October 6, 2006, para. 7. In the instant case, not only would granting the requested waiver not disserve or frustrate the purposes of the rule, but a grant of the waiver would actually advance the purposes of the rule.



The addition of Ameren's frequencies to the STARCOM21 network would fill in gaps in the network and increase the channel capacity of the network, enabling more state agencies to be served on the network and to have better geographic coverage. Ameren's communications capabilities would be enhanced as well, but it should be noted that communications protocols have been worked out under which Public Safety communications would always have priority on the network.

The *Douglas Electric Cooperative* case, cited above, where the Commission granted a waiver of Section 90.179(a) of the rules, is precisely on point as precedent for the action requested here. In *Douglas*, the Commission considered the express desires of the electric utility and public safety agencies to pool their resources and enhance the operations of both entities and granted the waiver. Similarly, in *In re State of South Carolina and SCANA Communications, Inc.*, 13 FCC Rcd 8787, Wireless Telecommunications Bureau, 1997, the Commission granted a waiver of Section 90.179 to permit SCANA, the parent of the largest electric utility in South Carolina, to share frequencies with Public Safety entities in South Carolina in a similar statewide telecommunications network known as Palmetto 800. The State of Illinois believes that its request here is consistent with and supported by the Commission's precedent in these two cases.

Accordingly, The State of Illinois requests that the Commission grants the waiver of Section 90.179(a) of the Commission's rules to allow Ameren to participate in the STARCOM21 telecommunications network.

CMS

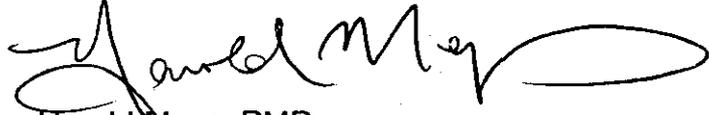
ILLINOIS

Rod R. Blagojevich, Governor

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Paul J. Campbell, Director

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Harold Mays", with a large, sweeping flourish at the end.

Harold Mays, PMP

Central Management Services, BCCS



Attachment A – Ameren Call Signs and Frequencies Available for Use in the STARCOM21 Network

Licenses				#	Frequencies
WNMO496	WPAR499			1	856.3375
WNMO496	WPAR499			2	857.3375
WNMO496	WPAR499			3	858.3375
WNMO496	WPAR499			4	859.3375
WNMO496	WPAR499			5	860.3375
WNMO496	WPAR499	WPIG265		6	856.3125
WNMO496	WPAR499		WPAR507	7	857.3125
WNMO496		WPIG265		8	858.3125
WNMO496	WPAR499		WPAR507	9	859.3125
WNMO496	WPAR499	WPIG265		10	860.3125
WNMO496			WPAR507	11	856.2875
WNMO496	WPAR499		WPAR507	12	855.9375
WNMO496	WPAR499	WPIG265		13	855.6625
WNMO496	WPAR499	WPIG265		14	854.8625
WNMO496	WPAR499		WPAR507	15	855.1625
WNMO496	WPAR499		WPAR507	16	855.3875
WNMO496	WPAR499		WPAR507	17	854.1875
WNMO496			WPAR507	18	854.0125
		WPIG265	WPAR507	19	855.7375
			WPAR507	20	858.2375
		WPIG265	WPAR507	21	860.9625
WNMO496				22	856.1375
		WPLY438		C5	855.6625
WPIX671				C6	856.4625
WPIX671		WPLY438		C7	855.8625
WPIX671				C8	855.5375
WPIX671				C9	855.4625
WPIX671		WPLY438		C10	855.1875
WPIX671	WPCR513	WPLY438	WPMP607	C11	860.3625
	WPCR513			C12	859.3625
	WPCR513			C13	858.3625
	WPCR513			C14	857.3625
	WPCR513			C15	856.3625
	WPCR513			C16	855.3625
		Licensed to Nextel		C17	860.0375
		Licensed to Nextel		C18	858.0375
		Licensed to Nextel		C19	857.0375
			WPMP607	C20	855.0375
				WNVL476	857.3875
				WNVL476	858.3875
				WNVL476	858.8375



Attachment B – State of Illinois Call Signs and Frequencies Being Used in the STARCOM21 Network

STATE OF ILLINOIS STARCOM21 NETWORK FREQUENCY LIST		
key: (pa) – Application Pending, (pd) – Deletion Pending		
SITE NAME	CALL SIGN	FREQUENCIES
ALTO PASS #364	WQDF391	867.8875, 868.4125, 868.9875, 857.2125 (pa)
ANDOVER #204	WQDF996	867.4375, 867.9625, 868.4875
	WQFM541	858.2125
ARLINGTON HTS #115	WQDB987	866.4375, 866.9375, 867.8875, 868.4625, 868.9125
	WQFM540	854.9875, 856.2375
ASHKUM #214	WQDC310	866.3375, 866.4375, 866.8625, 868.3250
ATTERBERRY #257	WQCF927	866.4250, 866.9500, 867.4750, 868.3125, 868.8875
AUGUSTA #222	WQDC353	866.4125, 866.9375, 867.4625, 867.9875, 868.8750
AURORA #101	WQDB993	866.4125 (pd), 868.9375, 868.4125 (pa)
	WQFC653	855.4875, 855.7375, 856.7375, 856.9875
	WQFH218	855.4875, 855.7375, 856.7375, 856.9875
BELLVILLE #320	WQCK459	866.3375, 866.8625, 867.3875, 867.9125
BELVIDERE #166	WQDB999	866.8875, 868.3375, 868.8125
	WQDC323	867.0750, 868.5125
BLUFORD #377	WQDC335	867.4250, 867.4500, 868.4750
BLYTON #238	WQFU332 (pa)	866.8625, 867.3875, 867.9125, 868.4375
BRADLEY #202	WQAZ296	866.4125, 867.9125, 868.8875, + 5 Mutual Aid Channels
BRUSSELS #375	WQDC313	867.3500, 867.8750, 868.4000
	WQFG438	855.2125
CARLINVILLE #319	WQDC312	866.3750, 866.9000, 867.4250
	WQFH221	859.2125
CARMI #338	WQDF966	866.3500, 866.8750, 867.4000, 867.9250, 868.4500
CASEY #366	WQCE890	866.3500, 866.8750, 867.4000, 867.9250, 868.4500
CAVE-IN-ROCK E #382	WQDY951	866.3750, 866.9000, 868.4750
CAVE-IN-ROCK W #384	WQFU333 (pa)	866.4750, 867.3125, 867.8375, 868.9375
CHAMPAIGN #209	WQBV729	866.4125, 866.9375, 867.4625, 867.9875, + 5 Mutual Aid Channels
	WQBU918	854.9625
CHESTER #386	WQDC337	866.3250, 866.8500, 867.3750, 867.9000, 868.4250 (pa)
CHICAGO - H & I #	WQDC202	866.4375, 866.9375, 867.8875, 868.4625, 868.9125
	WQFP538	854.9875, 856.2375
CHICAGO - Schilling # 112	WQDB977	866.4375, 866.9375, 867.8875, 868.4625, 868.9125
	WQFN298	854.9875, 856.2375
CHICAGO - Lytle # 122	WQDE409	866.4375, 866.9375, 867.8875, 868.4625, 868.9125
	WQFM538	854.9875, 856.2375
CHICAGO - Elston #123	WQDC204	866.4375, 866.9375, 867.8875, 868.4625, 868.9125
	WQFM539	854.9875, 856.2375



STATE OF ILLINOIS STARCOM21 NETWORK FREQUENCY LIST

key: (pa) - Application Pending, (pd) - Deletion Pending

Table with 3 columns: SITE NAME, CALL SIGN, and FREQUENCIES. It lists various locations and their associated call signs and frequencies.



STATE OF ILLINOIS STARCOS21 NETWORK FREQUENCY LIST		
key: (pa) – Application Pending, (pd) – Deletion Pending		
SITE NAME	CALL SIGN	FREQUENCIES
FLORA #361	WQCE616	866.3125, 866.8375, 867.3625
	WQCF611	859.2125
FORRESTON #	WQFH222	856.2125, 857.2125, 858.2125, 859.2125
GILSON #240	WQDK722	866.3500, 866.8750, 867.4000
	WQFL741	857.2125
GODFREY #363	WQCJ504	866.3500, 866.8750, 867.4000
	WQCM504	858.2125
GOLCONDA	WQDF425	866.3875, 867.9625, 868.4875
GOLCONDA N # 339	WQDE405	866.3250, 866.8500, 867.3750
GORHAM #367	WQDC439	866.4750, 867.3125, 867.8375, 868.3625
GREENUP #364	WQCE888	866.4750, 867.3125, 867.8375
	WQBU916	856.2125
GURNEE #177	WQDB978	866.4625, 867.4625, 867.9375, 868.9875
	WQFG459	855.2375
HAMPSHIRE #180	WQDC377	866.4125, 868.9375, 866.4125 (pd), 868.4125 (pa)
	WQFH217	855.4875, 855.7375, 856.7375, 856.9875
HARTLAND TNSP #403	WQDB991	866.9625, 867.4125, 867.9125, 868.4375
	WQFH219	855.9875
HARVARD #111	WQDE615	866.9625, 867.4125, 867.9125, 868.4375
	WQFH220	855.9875
HEROD #349	WQFU334 (pa)	867.4875, 867.9875, 868.9000
	WQFM341	856.2125
HIGHLAND PARK #195	WQDB979	866.4625, 867.4625, 867.9375, 868.9875
	WQFM542	855.2375
ILLINOIS CITY #260	WQDF991	866.4250, 866.9500, 867.4750, 868.8875
INA #303	WQDC378	866.4250, 866.9500, 867.4750, 868.3125, 868.8875
JOY #236	WQFU335 (pa)	866.8375, 867.3625, 867.8875, 868.4125, 868.9875
KAMPSVILLE #324	WQDC327	866.4125, 866.8375, 866.9375, 868.8750
GRANT PARK #203	WQAZ297	867.4125, 868.4375, 868.9875
	WQFJ266	855.7125
KINGSTON #231	WQDC351	866.4625, 866.9875, 867.8125
KRITESVILLE #325	WQDC318	866.3250, 866.8500, 867.3750
LA SALLE #107	WQCZ742	866.4250, 866.9000, 867.4750, 868.3125
LAKE VILLA #138	WQDC358	866.4625, 867.4625, 867.9375, 868.9875
	WQFG456	855.2375
LAKESWOOD #245	WQBW852	866.8250, 867.3500, 867.8750, 868.4000, 868.9750
LAWRENCEVILLE #385	WQCP872	867.8750, 868.4000, 868.9750
	WQBU915	858.2125
LENA #404	WQDB990	867.3625, 867.8875, 868.4125, 868.4375
LEROY #208	WQCW249	866.3500, 866.8750, 867.4000, 867.9250, 868.4500
LIBERTYVILLE #178	WQDB998	866.4625, 867.4625, 867.9375, 868.9875
	WQFB935	855.2375



STATE OF ILLINOIS STARGOM21 NETWORK FREQUENCY LIST

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Table with 3 columns: SITE NAME, CALL SIGN, and FREQUENCIES. It lists various locations and their associated call signs and frequency ranges.



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SITE NAME	CALL SIGN	FREQUENCIES
PECATONICA #151	WQDB973	866.4625, 867.4625, 868.0625
	WQDC314	866.1625
PEORIA - N Allen #290	WQCT940	866.9250, 867.4500, 867.9750, 868.8625, 859.2125
PEORIA - N Grandview #279	WQCS843	866.9250, 867.4500, 867.9750, 868.8625, 859.2125
PEORIA - N Knoxville #284	WQCT407	866.9250, 867.4500, 867.9750, 868.8625, 859.2125
PEORIA - S Hurst #286	WQCT945	866.9250, 867.4500, 867.9750, 868.8625, 859.2125
PEORIA - W Richwds #285	WQDB543	866.9250, 867.4500, 867.9750, 859.2125
PESOTUM # 215	WQBY294	866.3625, 867.4125, 867.9375, 868.4625,
	WQBK832	857.2375
	WQCX725	860.2625
PHILLIPSTOWN #372	WQFU337 (pa)	866.4875, 867.3250, 867.8500, 868.3750, 868.9500
PITTSFIELD #232	WQDC350	866.8125, 867.3375, 867.8625, 868.3875, 868.9625
PLATO CENTER #108	WQDC319	866.4125, 868.9375, 866.4125 (pd), 868.4125 (pa)
	WQFG453	855.4875, 855.7375, 856.7375, 856.9875
PLEASANT HILL # 266	WQDC315	866.3375, 866.8625, 867.3875, 867.9125, 868.4375
PONTIAC #216	WQCW207	866.4875, 866.9625, 867.3250, 867.4875, 867.8500
PROVIDENCE #149	WQDC308	867.8375, 868.3625, 868.9375
	WQFM636	857.4875
QUINCY #223	WQDE612	866.3500, 866.8750, 867.4000, 867.9250, 868.4500
ROBINSON #304	WQCE613	866.4250, 866.9500, 867.4750, 868.3125, 868.8875 (pd), 866.7250 (pa)
ROCK ISLAND #253	WQDF990	866.4875, 867.3250, 867.8500, 868.3750, 868.9500
ROCKFORD Broadcast #164	WQDB974	866.4125, 867.3875, 868.3875, 868.8875
	WQDC321	866.7125
ROCKFORD American #196	WQDB986	866.4125, 867.3875, 868.3875, 868.8875
	WQDB981	866.7125
ROCKFORD Auburn #400	WQDC200	866.4125, 867.3875, 868.3875, 868.8875
	WQDB982	866.7125
SOUTH BELOIT #169	WQDB984	866.5750, 866.8625, 868.4875, 868.9625
SPARTA #393	WQDC344	867.3250, 867.8500, 868.3750
	WQFL430	859.2125
SPRINGFIELD - D9 #230	WQCE893	866.4000, 866.9250, 867.4500, 867.9750, 868.8625, + 5 Mutual Aid Channels
SPRINGFIELD - Hilton #251	WQCE619	866.4875, 867.3250, 867.8500, 868.3750
	WQCK827	858.2125
STERLING #	WQCX280	866.9875, 867.8250, 868.3500, 868.9250
	WQFC657	855.7375
	WQFC375	855.7375
STOCKTON #152	WQDB997	867.3125, 867.8375, 868.3625, 868.9375



STATE OF ILLINOIS STARCOM21 NETWORK FREQUENCY LIST		
key: (pa) – Application Pending, (pd) – Deletion Pending		
SITE NAME	CALL SIGN	FREQUENCIES
SUMNER #309	WQCE614	866.3875, 866.9125, 868.4875
	WQCQ941	855.2125
TAYLORVILLE #246	WQCE618	867.3750, 867.9000, 868.4250
	WQCK972	857.2125, 860.2125
THOMPSONVILLE #344	WQDC374	867.8750, 868.4000, 868.8875
UNION #198	WQDC334	866.9625, 867.4125, 867.9125, 868.4375
	WQFC654	855.9875
	WQFB934	855.9875
USTICK #162	WQDF986	866.4375, 866.9625, 867.4875, 868.9000
VANDALIA # 317	WQCQ871	866.4500, 866.9750, 867.8125, 868.3375 (pa), 868.9125 (pa)
VILLA RIDGE #359	WQFU338 (pa)	866.4250, 866.9500, 867.4750
WARSAW #243	WQDF951	866.8250, 867.3500, 867.8750, 868.4000, 868.9750,
		867.8750 (pa), 868.9000 (pa)
WINTHROP HARBOR #135	WQDB972	866.4625, 867.4625, 867.9375, 868.9875
	WQFH216	855.2375
WOODSTOCK #199	WQDB992	866.9625, 867.4125, 867.9125, 868.4375
	WQFC655	855.9875
	WQFG460	855.9875
GENERAL	WPTZ798	BLANKET 700 MHz LICENSE



Attachment C – Region 13 RCRC November Meeting Minutes showing the committee's acknowledgement and approval of the State's proposal to add Ameren to the STARCOM21 Network

**Regional Conformance Review Committee - Region 13 Meeting
November 14, 2006
ISP Communications Services Bureau, Springfield, IL**

Attendees:

- Members:** Bill Blomgren
Gary Cochran
Keith Erickson
Richard Evans
Lambert Fleck
Scott Miller
Russ Thomas
T. J. Ward
- Absent:** Kindelspire, Duncan, Pepper and Wilson. All excused prior to meeting except Wilson.
- Guests:** Gregg Abbott, METCAD 911
Don Backys, Elert & Associates
Stephen Browne, Sprint/Nextel Advisory Board
John Doering, Peoria County ETSB
Mike Greenaway, Motorola
Pat Hughes, Motorola
Steve Inbeck, Dataradio Corporation
Rick Kallmayer, METCAD 911
David Lander, Motorola
Harold Mays, State of Illinois, Central Management Services
Rich O'Herron, Motorola
Jeff Phillips, Tazewell County 911
Rich Patterson, M/A Com
Neal Ragan, Ragan Communications
Stan Stach, Ameren
Melchor Varela, Motorola
Brian Wasielewski, Motorola

Chairman Cochran called the meeting to order at 10:05 a.m. Self-introductions were completed.

Reading of the Minutes of the Meeting of May, 2006

After review, Mr. Thomas made a motion to approve the minutes as submitted by Secretary Fleck. The motion was seconded by Mr. Blomgren and passed without dissent.

Old Business

Chairman Cochran provided the committee with an update of the status of the STARCOM21 project:

- Coverage testing has been completed.
- Complete testing results have not yet been provided to the State by Motorola, but preliminary results and feedback from field staff participating in the testing efforts would indicate that the testing was quite successful.
- ISP is using the Gold Elite Consoles to operate our legacy high-band and low-band radio equipment as we migrate to the new STARCOM21 system. We have transitioned to the use of the consoles in all but two districts over the last several months. We complete the console testing and move to the use of the consoles at ISP District 5 in Joliet tomorrow (11/15), and will complete that effort in District Chicago in December.
- The console installation work has taken a phenomenal effort by both the ISP technical staff and the Motorola field staff to accomplish.
- Functional Acceptance Testing begins on December 5, and will continue through January 9, 2007.
- More testing has been done on this network than any other system in the U.S.

New Business

Chairman Cochran introduced Dr. Stephen Browne, a consultant for Homeland Security and Public Safety who had traveled from Colorado to attend this meeting and make himself available to assist the Committee or its members at the conclusion of the meeting.

Champaign County METCAD Application

Chairman Cochran asked Frequency Advisor Ward to provide the committee with an update of the status of the METCAD application.

Mr. Ward stated that the committee members all received copies of the application, as well as the maps, 601 forms, etc. A change to the 601's was required due to frequency changes; however, those changes will not affect the map contours. Champaign County has areas of responsibility in areas along the county line so an extended coverage is needed in those areas. METCAD has provided a good explanation of their need for it. Encroachment into other counties will not cause interference. I recommend approval.

The floor was opened for questions.

Mr. Blomgren asked a question regarding the use of the interoperability frequencies. Mr. Abbott responded that the 2 base stations and one calling channel would be in alignment with what the ISP has in District 10, Pesotum, and RF controlled.

Mr. Blomgren asked if an interoperability plan and policy has been developed. Mr. Abbott responded that the details remained to be worked out.

Mr. Cochran indicated that the question came up with the Tazewell County application and highlighted that there was a lack of an interoperability plan. Mr. Blomgren has drafted a plan, we've voted on it, and submitted it to the FCC as an amendment for our plan. If METCAD is licensing on the interoperability frequencies, it has to be a 24/7 operation to have access. The issue is control-reporting structure. Mr. Cochran offered to provide Mr. Abbott with a copy of the draft plan.

Mr. Blomgren asked if METCAD considered using STARCOM21. Mr. Abbott stated that they looked at STARCOM21 in depth. Mr. Kallmayer stated that they decided against STARCOM21 due to the number of users in a small area, and their additional in-building coverage needs. Enhancements would have had to been made to STARCOM21 to meet their coverage requirements. The cost of making those enhancements to the STARCOM21 system would have made it more expensive for METCAD than building their own system. It is the intention of METCAD to make their system as interoperably-capable as possible.

Mr. Blomgren asked about the availability of the vacated frequencies. Mr. Abbott stated that it would likely be the first or second quarter of 2008. The time was dependent upon the rural fire agencies.

Chairman Cochran asked if they had a fleetmap proposed. Mr. Abbott indicated the development of the fleetmap was their next step. Chairman Cochran offered to provide Mr. Abbott with a copy of the ISP fleetmap for District 10.

Mr. Blomgren inquired as to METCAD's intent regarding the use of encryption, stating that the Region 13 Plan does not allow for the use of encryption on interoperability channels. Mr. Abbott stated that the previous plan to use encryption had been fixed. Presently, it is planned that only the policy specialty tactical units would be equipped to use encryption and not on interoperability channels.

At the conclusion of the discussion, Mr. Thomas made a motion to approve the METCAD application. The motion was seconded by Mr. Blomgren. All voted, "Aye." The motion carried.



Tazewell County Application

Mr. Ward explained that the Tazewell County application can not be forwarded for official action in their current state. Mr. Ragan and Mr. Ward had been attempting to work together on the application, but conflicting vacations had kept them from getting the issues straightened out. He stated that they will re-do the application with the NPSPAC channels only, making it a much smaller package. Mr. Ward further stated that the sites are correct, the maps are accurate. Tazewell County is asking for two emission codes for every channel (analog voice and digital voice), adding channels to sites and they define very well why they need to add channels to those sites.

Mr. Fleck questioned the number of channels they would be using as compared to the number of units that would be populating those channels. Mr. Ragan explained that three of the channels were to be implemented immediately, with the remaining six channels to be implemented in a slow-growth manner. Mr. Ward explained that at the end of the slow-growth period, the committee will have to review their system to see if they grow to meet the requirements. In addition, Tazewell County will have to report annually to the FCC and providing them with growth counts and adequate justification.

Mr. Ragan requested a copy of the Interoperability Plan draft. (Copy was provided by Chairman Cochran.)

Mr. Miller asked what happened if the slow-growth requirements weren't met; would agencies that have invested funds for radios and equipment be left without a system to use with that equipment. Mr. Ward explained that they would simply lose access to the frequencies for which they couldn't prove sufficient loading. They would have the frequencies, for which they could prove loading, available to them for use.

Mr. Erickson made a motion to approve the application with the corrections required and verified by Mr. Ward made to the application documentation. Mr. Miller seconded the motion. All voted, "Aye." The motion passed.

Mr. Ward noted that due to the application "freeze", the application cannot be formally submitted for processing before December 14th. He will work with Mr. Ragan to make the necessary revisions to the application prior to that time.

Ameren Waiver Request

Chairman Cochran introduced Mr. Harold Mays of the State of Illinois, Central Management Services; Mr. Rich O'Herron of Motorola, Project Director for the STARCOM21 system; and Mr. Stan Stanch of Ameren.

Mr. Mays opened his remarks by thanking the committee for allowing him the opportunity to address them and answer any questions they may have in regard to this waiver request.

In essence, the State is seeking to secure the necessary waiver from the Federal Communications Commission that would allow the Ameren field personnel access to the State's STARCOM21 radio network. Mr. Mays stated that the State fully supports the concept and is actively pursuing it.

Mr. Blomgren asked if other utilities would be able to sign-on to STARCOM21. Mr. Mays stated that this concept was not specific to Ameren.

Mr. Blomgren asked if other utilities would share the frequencies brought to the table by Ameren. Mr. O'Herron responded by stating that the frequencies would be pooled, the other utilities would also have to bring frequencies and meet the State's requirements. In addition, the utilities would have to agree to accept, as Ameren has, a lower priority within the system than the public safety units operating on the system.

Mr. Blomgren asked what was being used as the definition of a utility. Mr. O'Herron referred to the "critical infrastructure utility" as defined by the Department of Homeland Security.

Mr. Fleck urged CMS to be very careful in the language used in the drafting of the contract. Mr. Mays assured him they were aware of the need for explicit language.

Mr. Blomgren inquired as to whether there would be cost changes due to the inclusion of the new category of participants on the system. Mr. Mays stated that the financial considerations are being reviewed at this time; they are still to be defined.

Mr. Erickson asked if the agreement would include contractors working for Ameren. Mr. Stach responded that they would, as long as they are on Ameren properties working on Ameren related issues.

Mr. Fleck started discussion regarding the need for this request to be taken to the Region 54 committee as well. It was determined that if Ameren's use were to extend to the geographic area of Region 54, the question should be taken to that group.



Mr. Blomgren asked about the negotiation timeframe. Mr. Mays stated that the contract is between Motorola and the State. Motorola will then be negotiating with other potential applicants in the future.

In follow-up, Mr. Blomgren asked if this committee would have any control over future applications. Mr. Mays stated that membership of this committee would be represented on the STARCOM21 oversight group, which, in turn, would have the authority to approve or deny future applicants based upon their impact on the system and meeting the necessary requirements.

Mr. O'Herron enumerated the requirements that must be met by a utility in order to participate on the STARCOM21 system the utility must:

1. bring sufficient spectrum to the system to meet their needs;
2. be responsible for maintenance and repair of critical infrastructure;
3. be willing to accept a lower priority assignment than the public safety users on the system; and
4. be approved through the User Agreement process with the State.

He further noted that ComEd would not qualify for access as they utilize 900MHz and do not have frequencies to bring to the table; likewise Cleartalk would not qualify under their current configuration as they have commercial users on their system.

Mr. Fleck expressed his concern with the peak work load issue involving both public safety and the utilities. Will the load be too excessive? Mr. Stach stated that the use of the differing priority levels and a coordinated effort should allow for the shared use. Mr. O'Herron explained that the additional frequencies brought to the table by the utility will provide an improved opportunity for access to a needed frequency.

Mr. Stach stated that Ameren would like to implement use of STARCOM21 for their 2,000 units in 2007. Mr. O'Herron stated that ISP would be brought on to the system first, and Ameren would be rolled-out after the ISP.

Mr. Fleck again expressed his concern that the language of the contract be carefully crafted.

Chairman Cochran asked if the waiver would be voided if the agreement cannot be completed by the State and Ameren. Mr. Mays responded, "Yes."

**Attachment D – Motorola Letter of Support for the State's Request for Waiver
of the FCC's rule**



MOTOROLA

November 6, 2006

Kenneth Moran, Acting Chief
Public Safety and Homeland Security Bureau
Federal Communications Commission
Washington, DC 20554

Re: Request for Waiver of Section 90.179 of the FCC's Rules by Ameren

Dear Mr. Moran:

Please consider this letter in support of a waiver of Section 90.179 of the FCC's rules that is being requested by Ameren.

Motorola and the State of Illinois entered into a contract in September of 2001 to deploy a telecommunications network for Public Safety users in Illinois commonly referred to as STARCOM21. The contract currently stipulates that the STARCOM21 network is to be built, owned and operated by Motorola for the benefit of Federal, State, County and Local governmental agencies.

Ameren is in negotiations with Motorola and the State of Illinois to utilize the STARCOM21 Network for its field operations. Ameren will contribute as many as 49 800MHz channels/frequencies to the STARCOM21 Network which will greatly improve system capacity for all agencies with the benefit of interoperability for emergency response and coordination. Ameren will retain ownership of the licenses and are proposing to share for the benefit of all STARCOM21 Network Users. Precedent was set with the FCC granting the waiver to of South Carolina and SCANA Communications, Inc, currently known as Palmetto 800, September 30, 1997 under DA 97-2120.

Granting Ameren authorization to participate on STARCOM21 will enhance interoperability, enable a more effective first response, improve spectrum efficiency and provide other tangible benefits to the current participants on the STARCOM21 Network.

Motorola understand that public safety agencies are already permitted by Section 90.179 (h) to share Ameren's frequencies, but Ameren cannot share Public Safety frequencies without a waiver. Motorola believes that a waiver is justified in this instance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard O'Herron'.

Richard O'Herron
STARCOM 21 System Manager
Networks and Enterprise

1309 East Algonquin Road
Schaumburg, IL 60195