PUBLIC NOTICE

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES REGION 22 (MINNESOTA) 700 MHZ REGIONAL PLAN AMENDMENT

PS Docket No. 06-229 and WT Docket No. 02-378

By this *Public Notice*, the Public Safety and Homeland Security Bureau (Bureau) approves the amended 700 MHz regional plan submitted by the Region 22 (Minnesota)[1] 700 MHz Regional Planning Committee for General Use spectrum in the 769-775/799-805 MHz band.[2] Region 22's original Plan was approved in June 2006.[3]

On July 31, 2007, the Commission adopted a *Second Report and Order* revising the rules governing wireless licenses in the 700 MHz band.[4] The Commission adopted a plan for the 700 MHz band to establish a nationwide, interoperable public safety broadband communications network for the benefit of state and local public safety users. The Commission designated the lower half of the 700 MHz public safety band for broadband communications (763-768/793-798 MHz) and consolidated existing narrowband allocations in the upper half of the public safety 700 MHz band (769-775/799-805 MHz).

In revising the band plan for the public safety 700 MHz band, the Commission noted that consolidating the narrowband channels in the upper part of the band will impact approved and pending 700 MHz regional planning committee (RPC) plans. Accordingly, the Commission required RPCs with approved plans or plans on file to submit amended plans consistent with the decisions adopted in the *Second Report and Order* by November 23, 2007.[5] On November 9, 2007, the Bureau extended the

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[1] The Region 22 Minnesota 700 MHz regional planning area encompasses the entire state of Minnesota consisting of 87 counties, and shares its northernmost border with the Canadian provinces of Manitoba and Ontario.

[2] *See* Letter from Steve Pott, Region 22 700 MHz Regional Planning Committee, to Public Safety and Homeland Security Bureau, FCC, PS Docket No. 06-229 (filed Dec. 14, 2007) (Plan Amendment).

[3] *See* Wireless Telecommunications Bureau Approves Region 22 (Minnesota) 700 MHz Regional Plan, WT Docket No. 02-378, *Public Notice*, 21 FCC Rcd 6906 (WTB 2006). In addition, the Bureau granted Region 22 a waiver for two missing letters of concurrence from unformed Region 32 (North Dakota) and Region 38 (South Dakota). *See id.* at 6908-10.

[4] Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010, PS Docket No. 06-229, WT Docket No. 96-86, *Second Report and Order*, 22 FCC Rcd 15289 (2007) (*Second Report and Order*).

[5] As of the adoption date of the *Second Report and Order*, the following regional plans had been approved: Region 5 (Southern California), Region 19 (New England), Region 24 (Missouri), Region 22 (Minnesota), Region 12 (Idaho), Region 39 (Tennessee), Region 43 (Washington), Region 41 (Utah), Region 3 (Arizona), and Region 40

deadline for RPCs to submit amended plans, consistent with the decisions adopted in the *Second Report and Order*, to January 31, 2008, and provided additional guidance for the development of plan amendments.[6]

On December 14, 2007, Region 22 RPC filed an amendment to:

- Revise Plan Attachments (7) and (8) Narrowband Channel Tables by adding 5 MHz to the channel centers for channels 1 through 480 and 961 through 1440, and by subtracting 1 MHz from the channel centers for channels 481 through 960, 1141 through 1920.
- Delete Plan Attachments (11) through (15) Wideband Channel Allotment Tables.
- Delete Plan Section 6.9 Wideband Data Standards.
- Delete Plan Section 8.3 Wideband Data Channel Allotment, and replace it with the following new section and subsections: Section 8.3 – Wideband Data Channel Allotment (explaining *Second Report and Order* provisions for wideband operations on a waiver basis); Section 8.3.1 - Wideband Application Procedures, and Section 8.3.2 - Applicable FCC Rules.

The Region 22 RPC coordinated the Plan Amendment and obtained letters of concurrence obtained from all four regions adjacent to Region 22: Region 15 (Iowa), Region 38 (South Dakota), Region 32 (North Dakota), and Region 45 (Wisconsin).[7]

On February 20, 2008, the Bureau solicited public comment on the Region 22 Plan Amendment.[8] We received no comments. We have reviewed the Region 22 Plan Amendment, and conclude, based on the information before us, that it complies with FCC rules and policies. Accordingly, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.102(b) of the Commission's rules, 47 C.F.R. § 1.102(b), the Region 22 (Minnesota) 700 MHz Public Safety Plan Amendment is APPROVED.

(Northern Texas). The following regional plans were pending as of the adoption date of the *Second Report and Order*: Region 1 (Alabama), Region 27 (Nevada), Region 45 (Wisconsin), Region 7 (Colorado), Region 9 (Florida), Region 16 (Kansas), and Region 20 (Northern Virginia, Maryland and the District of Columbia).

[6] *See* Public Safety and Homeland Security Bureau Announces an Extension of the Deadline for 700 MHz Regional Planning Committees to Amend 700 MHz Narrowband Plans from November 23, 2007 to January 31, 2008, PS Docket No. 06-229, WT Docket No. 96-86, *Public Notice,* 22 FCC Rcd 19461 (PSHSB 2007).

[7] 47 C.F.R. § 90.527(a)(5); *see* Letter from Steve Pott, Region 22 700 MHz Regional Planning Committee, to Public Safety and Homeland Security Bureau, FCC, PS Docket No. 06-229 (filed Jan. 31, 2008) (submitting letters of concurrence from regions adjacent to Region 22). Although Regions 32 and 38 remain "unformed" 700 MHz regions, the 700 MHz Conveners (current 800 MHz RPC Chairs) submitted letters to Region 22 acknowledging receipt of the Plan Amendment and their tentative approvals.

[8] *See* Comments Invited on Region 22 (Minnesota) 700 MHz Plan Amendment, PS Docket No. 06-229; WT Docket No. 02-378, *Public Notice,* 23 FCC Rcd 2761 (PSHSB 2008). Comments were due March 12, 2008 and reply comments were due March 24, 2008.

This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission's rules, 47 C.F.R. §§ 0.191, 0.392.

Action by the Deputy Chief, Public Safety and Homeland Security Bureau.

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