

## **Appendix M - Inter-Regional Coordination Procedures and Procedures for Dispute Resolution**

### **Introduction**

This is a mutually agreed upon Inter-Regional Coordination Procedure and Dispute Resolution Agreement (Agreement) by and between Region 33 and the neighboring Regional Planning Committees. The purpose is to provide a mechanism to resolve issues that may arise under FCC approved plans.

### **Inter-Regional Coordination Agreement**

The following is the specific procedure for inter-regional coordination which has been agreed upon by Regions, which will be used by the Regions to coordinate with adjacent Regional Planning Committees.

1. An application filing window is opened or a Region announces that it is prepared to begin accepting applications on a first-come/first-serve basis.
2. Applications by eligible entities are accepted.
3. An application filing window (if this applies) is closed after appropriate time interval.
4. Intra-regional review and coordination takes place, including a technical review resulting in assignment of channels.
5. After intra-regional review, a copy of those frequency specific applications requiring adjacent Region approval, including a definitive statement of proposed service area, shall be forwarded to the adjacent Region(s) for review. This information will be sent to the adjacent Regional chairperson(s) via the CAPRAD system.
6. The adjacent Region will review the application. If approved, a letter of concurrence shall be sent, via CAPRAD, to the initiating Regional chairperson within thirty (30) calendar days.

### **Dispute Resolution**

If the adjacent Region(s) cannot approve an application request, the adjacent Region shall document the reasons for partial or non-concurrence and respond to the initiating Region within ten (10) calendar days via e-mail. If the initiating Region cannot modify the application to satisfy the objections of the adjacent Region then, a working group comprised of representatives of the Regions involved shall convene within thirty (30) calendar days to attempt to resolve the dispute. The working group shall then report its findings within thirty (30) calendar days to the Regional chairpersons via e-mail or the CAPRAD system. Findings may include, but are not limited to:

1. Unconditional concurrence;

2. Unconditional concurrence contingent upon modification of the applicant's technical parameters; or
3. Partial or total denial of proposed frequencies due to inability to meet co-channel/adjacent channel interference free protection to existing licensees within the adjacent Region.

If the Inter-Regional Working Group cannot resolve the dispute, then the matter shall be forwarded for evaluation to the National Plan Oversight Committee (NPOC), of the National Public Safety Telecommunications Council (NPSTC). Each Region involved in the dispute shall include a detailed explanation of its position, including engineering studies and any other technical information deemed relevant. The NPOC will, within thirty (30) calendar days, report its recommendation(s) to the Regional chairpersons via the CAPRAD system. The NPOC's decision may support any of the disputing Regions or it may develop a proposal that it deems mutually advantageous to the disputing Regions.

1. Where adjacent Region concurrence has been secured, and the channel assignments would result in no change to the Region's current FCC approved channel assignment matrix, then the initiating Region may the applicant(s) that their application may be forwarded to a frequency coordinator for processing and filing with the FCC
2. Where adjacent Region concurrence has been secured, and the channel assignments result in a change to the Region's current FCC approved channel assignment matrix, then the initiating Region shall file to the FCC a "Petition to Amend" their current Regional plan's frequency matrix. The petition shall reflect the new channel assignments and copy of the petition shall be sent to the adjacent Regional chairperson(s).
3. Upon FCC issuance of an "Order" adopting the amended channel assignment matrix, the initiating Regional chairperson will send a courtesy copy of the "Order" to the adjacent Regional chairperson(s) and may the advise the applicant(s) that they may forward their application(s) to the frequency coordinator for processing and filing with the FCC.

### Conclusion

IN AGREEMENT HERETO, Regions [21 and 33] do hereunto set their signatures the day and year first above written.

Respectfully,

Region 21 Joseph M. Turner

Date Jan. 29, 2009

Region 33 Paul W. [unclear]

Date 12-2-2008