

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band)	PS Docket No. 06-229
)	
Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Requirements Through the Year 2010.)	WT Docket No. 96-86
)	
Petition for Rulemaking)	RM No. 11551
)	

Comment

The State of New York ("the State") supports the Petition¹ submitted by Region Planning Committee (RPC) 24 to extend the 700 MHz build out deadlines in 47 CFR §90.521 to align with the final digital television (DTV) transition date of June 12, 2009.

Additionally, currently the State's use of State License channels, as well as RPC 30 and RPC 55 use of General Use channels is hindered by the lack of an updated international agreement between the United States and Canada for sharing of channels at 700 MHz. The State strongly encourages a swift remediation of the current misalignment between the international agreement² and the band plan in 47 CFR §90.531. The State believes that continued delays to resolving this misalignment would necessitate a further change in the build out dates in areas affected by the international agreement.

¹ Petition for Rulemaking by Steve J. Makky, Sr., Chairperson, Region 24 700 MHz Regional Planning Committee. Submitted 05/15/09.

² Sharing Arrangement Between the Department of Industry of Canada and the Federal Communications Commission of the United States of America Concerning the Use of the Frequency Bands 764 to 776 MHz and 794 to 806 MHz By the Land Mobile Service Along the Canada-United States Border. June 2005.

Respectfully submitted,

A handwritten signature in cursive script that reads "Melodie Mayberry-Stewart". The signature is written in black ink and is positioned above a horizontal line.

Melodie Mayberry-Stewart, Ph.D.
New York State Chief Information Officer
Director of the Office for Technology

August 24th, 2009

New York State Chief Information Officer/
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CERTIFICATE OF SERVICE

I, Matthew Delaney, hereby certify that a copy of the foregoing Comment of the State of New York was served this 28th day of August 2009, by first-class mail, postage pre-paid, to the following individual at the address below:

Mr. Steve J. Makky, Sr.

St. Charles County Emergency Management
301 N. Second St, Room 280
St. Charles, Missouri 63301

A handwritten signature in black ink, appearing to be 'M Delaney', is written above a horizontal line.

Matthew Delaney