



# Region 49

## National Public Safety Plan

### 700 MHz Regional Review Committee

[www.region49.org](http://www.region49.org)

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July 20, 2010

Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street NW  
Washington, D.C. 20554

Attention: Chief, Public Safety and Homeland Security Bureau

Subject: WTB Docket No. 02-378, Region 49 (Texas – Austin) 700 MHz Regional Plan

Dear Madam Secretary:

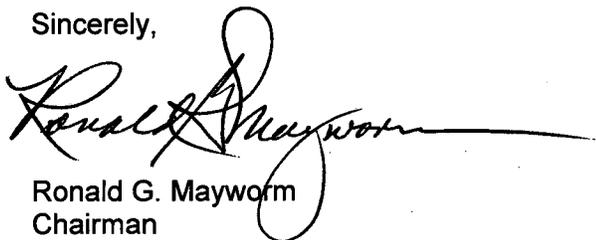
Attached is the Region 49, 700 MHz Regional Plan for your review and approval. This plan was approved by the membership of the Regional Planning Committee on April 9, 2010. Copies of the plan were then distributed to the four adjoining regions for their review and concurrence. Copies of each of the four letters of concurrence are included as Attachment 2 to our plan.

I want to thank the National Coordinating Committee (NCC), the National Public Safety Telecommunications Council (NPSTC), and the National Regional Planning Council (NRPC) and their leadership for the tools and guidance that helped us through the planning process.

It is our hope that this plan will receive your approval and allow public safety entities throughout our region to access this much needed frequency spectrum.

Please feel free to contact me if there are any questions at 979-595-2801, ext. 2045, or [rmayworm@bvcoq.org](mailto:rmayworm@bvcoq.org).

Sincerely,



Ronald G. Mayworm  
Chairman

Ron Mayworm, Chairman  
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## **Region 49 – Texas (Central Texas)**

### **700MHz Regional Plan**

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# 1 764-776/794-806 MHz Regional Plan for Region 49 (Central Texas)

This document is the regional plan for Region 49 (Central Texas) describing how the 746- 776/796-806 MHz General Use frequencies will be allocated and implemented in the region.

## *1.1 Regional Officers and Membership*

At the time of transmittal of this plan to the FCC, the following individuals serve in leadership roles of the Region 49 Regional Planning Committee.

The Regional Chairman of Region 49 is Ron Mayworm. His contact information is below:

Ron Mayworm, Radio System Manager  
Brazos Valley Wide Area Communications System (BVWACS)  
Brazos Valley Council of Governments  
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Bryan, TX 77802-4128  
Phone 979-595-2801 ex. 2045  
Fax 979-595-2810  
Email ron@ktsignals.com

The Secretary/Treasurer of Region 49 is Karla Jurrens. Her contact information is below:

Karla Jurrens, Systems Design Analyst  
Public Safety Communications Bureau  
Texas Department of Public Safety  
P. O. Box 4087, MSC 0259  
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Fax (512) 424-2899  
Email Karla.Jurrens@txdps.state.tx.us

From time to time, as described in the Committee By-Laws (**Appendix A**) these positions will be subject to re-election. At any such time as one of these positions changes, the Chair will be responsible for taking the following actions:

- Providing notice to the FCC of the changes
- Providing notice to the entity maintaining the CAPRAD system of the changes

- Modifying the Region 49 web site ([www.Region49.org](http://www.Region49.org)) to reflect the changes

Such changes will not be considered as plan modifications, and will not require that this document be resubmitted to the FCC for public notice and comment cycles.

Membership in the Region 49 Regional Planning Committee is open to any interested party.

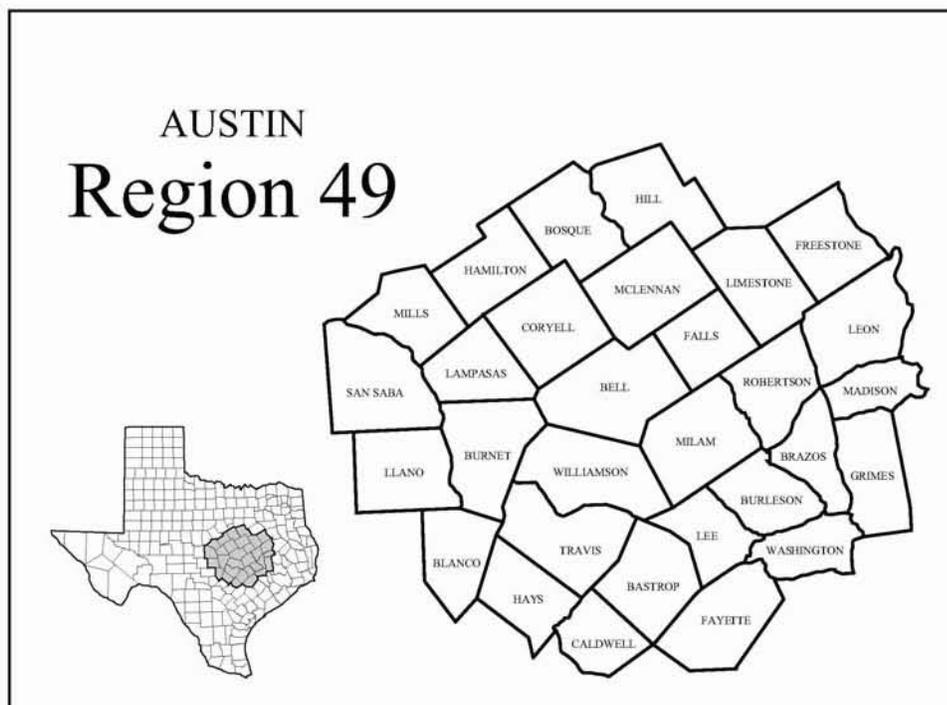
Committee officer requirements, voting procedures and membership attendance requirements are listed in the Region 49 Regional Planning Committee bylaws.

**Appendix A** contains these bylaws. **Appendix B** includes a list of Region 49's members and their agency/affiliation through the date of plan submission. Voting and operating procedures are described in Section 2.3 of this plan.

## 2 Regional Planning Committee

### 2.1 Description of Region

Region 49 is comprised of 30 counties in central Texas. The following figure shows the geographical relationship of the counties to each other and to the rest of the state.



The following table lists each of the 30 counties and indicates the following information for each county:

- county area in square miles
- the county's estimated population in 2005
- the approximate maximum ground level elevation (above sea level) in the county
- the county's population density (persons per square mile) used by CAPRAD to develop the 700 MHz channel allocations (based on 2000 census figures)
- a general description of the county's topography

COUNTY	AREA (SqMi)	POPULATION (2005 estimate)	~MIN. ELEV.	~MAX. ELEV.	POPULATION DENSITY (2000)	TOPOGRAPHIC CHARACTERIZATION
Bastrop	895	68,957	400	600	64.989	Rolling uplands & broken hills
Bell	1055	252,658	450	1200	224.563	Rolling prairies to rolling uplands, deeply cut with steep bluffs along the Balcones Escarpment
Blanco	714	9,317	800	1850	11.836	Hilly to mountainous
Bosque	989	18,041	480	1200	17.392	Rolling hills
Brazos	588	161,380	200	350	260.192	Rolling prairie
Burleson	668	17,529	225	475	24.747	Undulating to hilly; eastern part is a broad valley
Burnet	1000	38,547	700	1700	34.283	Rolling hills & prairies with local deep dissections
Caldwell	546	35,751	375	500	58.993	Low rolling to hilly
Coryell	1031	74,190	600	1493	71.288	Plateaus & grasslands
Falls	765	18,194	300	500	24.153	Broad flatlands to gently rolling
Fayette	950	23,077	200	600	22.951	Level to steep slopes
Freestone	888	18,775	600	900	20.363	Coastal plain upland
Grimes	799	24,754	193	415	29.677	Coastal plain boundary; gently rolling
Hamilton	844	8,191	900	1600	9.847	Rolling prairie with abruptly rising flat-topped buttes
Hays	694	122,884	600	1400	143.964	Hilly and plains divided by the Balcones Escarpment
Hill	1012	34,378	400	900	33.585	Level plains & gently rolling hills
Lampasas	714	20,743	850	1700	24.945	Rolling prairie with sloping hills
Lee	631	16,732	270	970	24.912	Level plain & gently rolling hills
Leon	1078	16,352	150	500	14.305	Rolling plains
Limestone	931	22,481	375	665	24.262	Level to rolling prairies
Llano	941	18,497	800	2000	18.233	"Hill Country" on the eastern part of the Edwards Plateau

Madison	473	13,181	213	364	27.553	Rolling prairie
McLennan	1031	219,344	400	850	204.934	Flat to rolling with locally steep slopes along the Balcones Escarpment
Milam	1019	25,453	250	600	23.840	Level to slightly rolling
Mills	734	5,100	1100	1700	6.885	Hills & plateaus
Robertson	854	16,162	250	500	18.723	Flat to gently rolling
San Saba	1136	6,138	1100	1800	5.453	Steep to rolling, with deep local dissections
Travis	989	882,077	400	1300	821.061	Divided by the Balcones Escarpment
Washington	611	31,834	200	500	49.855	Gently rolling hills
Williamson	1137	315,490	400	1300	222.635	Coastal plain and western plain divided by the Balcones Escarpment
<b>TOTALS</b>	<b>25,717</b>	<b>2,536,407</b>				

In general, the region includes portions of the high plains, central plains, and coastal plains of Texas. The western counties consist of the rolling hills and prairies of the high plains. The eastern counties consist of the gently rolling coastal plains and prairies.

The most significant geological feature of the region is the Balcones Escarpment, which runs through Hays, Travis, Williamson, Bell, and McLennan counties. The escarpment consists of steep cliffs and cliff-like structures. The area adjacent to the escarpment is popularly known as the Texas Hill Country, where the land is highly dissected by fast-moving streams through deep-sided canyons.

Population densities (based on 2000 census data) in the region range from a rural 5.453 persons/square mile to an urban 821.061 persons/square mile. There are seven cities with populations exceeding 50,000 in the region. The cities (and their counties) are: Austin (Travis & Williamson); Waco (McLennan); Killeen (Bell); College Station (Brazos); Bryan (Brazos); Round Rock (Williamson); and Temple (Bell).

The variety of terrain and population densities presents some unique problems in achieving full radio coverage of some jurisdictions' areas. All these factors were considered when designing flexibility into this plan.

In previous NPSPAC 821 MHz frequency allotments, spectrum amounts disproportionate to population densities were allotted. In the 700 MHz band, county allotments for the narrowband channels have been developed based on terrain characteristics and population densities both within the region and relative to adjacent regions. Due to the region's diverse population densities and the scarce spectrum resources in the region's heavily populated areas, it is anticipated the majority of requests for voice/data spectrum will be from the

metropolitan areas, several of which currently operate existing 800 MHz radio networks.

There are four Metropolitan Statistical Areas located in the Region. Their names, counties in which they are located, and their estimated 2005 populations (per the Texas State Demographer) are:

Austin/Round Rock	Travis & Williamson	1,425,159
Killeen/Temple/Fort Hood	Bell & Coryell	347,591
Waco	McLennan	219,344
Bryan/College Station	Brazos	195,071

It is anticipated that other areas within Region 49 may request 700 MHz channels from established county pool allotments to either expand existing 800 MHz systems or develop new 700 MHz systems.

## *2.2 Notification Process*

Ron Mayworm, chairman of the Region 49 821 MHz Regional Review Committee, was the 700 MHz Convener. The first 700 MHz Regional Planning Committee meeting date was October 29, 2001. Interested parties were given more than 60 days' notice prior to the first meeting. Announcements of the date, time, location, and purpose of the first meeting were sent to the FCC Wireless Telecommunications Bureau and published in the Association of Public Safety Communications Officials, Inc. magazine. More than 700 copies of the first meeting notice were mailed to all known federal, state, and local public safety agencies within the region, utilizing mailing lists supplied by the area's Councils of Governments and the Texas State Commission on Fire Protection. Legal notices were published twice in each of the following newspapers published within the region: The Waco Tribune-Herald, the Austin American-Statesman, the Bryan/College Station Eagle, and the Temple Daily Telegram.

Based on information from the Bureau of Indian Affairs, there are no Native American tribal reservations located within Region 49. However, copies of the first meeting's notice were mailed to all known tribal headquarters addresses located in the state of Texas.

Copies of the notice issued by the FCC, the mailed notice of Region 49's meeting, the notice placed in the APCO Bulletin, and the ads placed in multiple newspapers are included in **Appendix C.1**.

At the first meeting all participants were asked by which methods they had received notice of the meeting. The great majority of participants had received the direct mail notices. None of the participants had seen any of the published

newspaper notices. Therefore, it was decided to discontinue placing expensive newspaper notices for future meetings.

Subsequent meetings of the committee were also publicized by FCC Notice, postings in the Region 49 web site, and direct mailings. These subsequent notices were also issued more than 30 days before the meeting date, and copies are included in **Appendix C.2**.

The Chairmen of the Outreach Committee utilized many resources to develop mailing lists of as many federal, state, and local public safety agencies with offices in the region as possible. A sample mailing list is included in **Appendix C.5**.

Meetings of the committee were held at various geographic locations throughout the region to promote participation by representatives from all entities within the region.

Since Region 49 includes the state capitol, Austin, and is headquarters to many state agencies, participation by state agencies, particularly the Department of Public Safety and the Texas Department of Transportation, was common. Most meetings were also attended by one or more members of the Texas Statewide Interoperability Executive Committee.

The Region 49 700 MHz list-serve, <http://groups.yahoo.com/group/RPC49/> was created in November of 2001. The Region 49 web site [www.Region49.org](http://www.Region49.org) and a replacement list serve, [700mail@region49.org](mailto:700mail@region49.org), created November 6, 2003, were also used to exchange information as well as disseminate meeting times, dates, locations, and agendas throughout the regional planning process.

In each of the announcements, invitees were encouraged to provide input into the planning process. During the meetings, participants were encouraged to comment on the meeting's agenda items and any other pertinent matters. Comments were given at the meetings, provided ahead of the meetings on the web sites, and made directly to the chairman, other committee officers, and the subcommittee chairmen.

When comments were made at meetings, the chairman acknowledged the question/comment, and deliberation followed until the commenting party was satisfied or until additional information could be gathered and presented at the next meeting. If voting was necessary, Roberts Rules of Order were followed.

## *2.3 Operations of the Regional Planning Committee*

This committee uses Robert's Rules of Order to conduct meetings. All decisions are made by clear consensus vote with each public safety agency in attendance having one (1) vote. Additional voting member considerations are listed in the Region 49 Bylaws, **Appendix A**.

The meetings are open to all interested persons and public input time is provided for anyone to express a viewpoint or to have input to the regional planning process. Any changes to the regional plan must be voted on and approved by a majority of members attending a full Regional Planning Committee meeting, in accordance with the procedures contained in Section 2.6 of this plan.

Officers of the committee are the chairman, secretary, and treasurer. They are elected for one year terms at the annual meeting of the committee. If the chairman is unable to serve a complete term, the secretary will serve as chairman until the next committee meeting.

Subcommittees have been formed as needed to work on specific issues. At the first meeting three subcommittees were formed. These subcommittees are intended to work on the details of specific issues and make recommendations to the full committee for the development of the regional plan. Participation in subcommittees is open to any member. The chairman of the Regional Planning Committee appoints each subcommittee chairman. The initial Region 49 subcommittees and their current chairmen are listed below:

**Bylaws:** Ken Biederman, Burleson County, Chairman (now deceased)

**Plan Writing:** Ron Mayworm, Brazos Valley Council of Governments, Chairman

**Outreach:** Karla Jurrens, Texas Department of Public Safety, Chairman

A minimum of one (1) meeting per year will be held of the full committee. This annual meeting will be held in Austin, Texas, on October 15<sup>th</sup> of each year, or on the next business day if the 15<sup>th</sup> is a weekend or holiday. The chairman also has the authority to call meetings whenever he/she deems it necessary or in the best interest of the region to convene. In an attempt to offer as many people as possible the opportunity to contribute to the committee, some of the meetings have been, and will continue to be held in various locations within region 49.

Regular meetings of the full committee will be scheduled during the 30 day period beginning 90 days after the close of each 6 month filing window for applications (see section 3.6 A).

A chronological list of meetings, meeting announcements, agendas, and meeting minutes documenting Region 49's progress in 700 MHz development is located in **Appendix C** of this document.

Texas has formed a Statewide Interoperability Executive Committee (SIEC) to manage the 700 MHz interoperability channels. The Texas SIEC includes the chairman of the Region 49 Regional Planning Committee as a member.

## *2.4 Dispute Resolution – Intra-Regional*

In the event an agency disputes the implementation of all or parts of this plan, the agency must notify the chairman of the dispute in writing. The chairman will first attempt to resolve the dispute on an informal basis. If a party to the dispute employs the chairman, then the secretary will attempt resolution. If after 60 days the dispute is not resolved, the chairman (or secretary) will appoint an Appeals Subcommittee consisting of five members from jurisdictions in Region 49.

In order to ensure that the appeal process is open and understandable to everyone, the RPC has developed the following procedures. Those involved in the appeal process can expect the RPC and its members to follow these procedures (as may be amended from time to time). Where any matter arises during the course of an appeal that is not addressed in this document, the RPC will do whatever is necessary to enable it to adjudicate the appeal fairly, effectively, and completely. As the RPC gains experience, it will refine and, if necessary, change its policies. Any changes made to the procedure will require an administrative modification to the Regional Plan and will be made available to the public. The RPC will make every effort to process appeals in a timely fashion and issue decisions expeditiously. For each appeal occurrence, a majority of the members of the subcommittee will designate one of its members to be the Chair.

A. If any subcommittee member becomes aware of any facts that would lead an informed person, viewing the matter reasonably and practically, to conclude that another member, whether consciously or unconsciously, would not decide a matter fairly, that member will be prohibited from conducting the appeal unless consent is obtained from all parties to continue. In addition, any party to an appeal may challenge a member on the basis of real or a reasonable apprehension of bias.

B. To ensure the appeal process is kept open and fair to the participants, any correspondence to the subcommittee must be sent to its Chair and be copied to all other subcommittee members and other parties to the appeal, if applicable. Subcommittee members will not contact a party on any matter relevant to the merits of the appeal, unless that member puts all other parties on notice and gives them an opportunity to participate. The appeal process is public in nature

and all meetings regarding the appeal will be open to the public.

C. The subcommittee hears appeals from a determination or assignment by the RPC and includes the following: number of channels assigned, interference, or any other criteria that the region shall establish.

D. An official of the entity who filed the original application to the RPC must be the person who files the appeal on behalf of the entity.

E. A notice of appeal must be served upon the RPC. The notice of appeal may be “delivered” by mail, courier, e-mail (must be on the appealing entity’s official letterhead and include the originator’s signature, such as using a scanned image in Portable Document Format of an original letter) or hand delivered, to the Chair and Secretary of the RPC. The Secretary will in-turn transmit notice of the appeal to all then-current RPC members via the listserv within five working days of receipt. To be accepted for consideration the notice of appeal must include:

1. The name and address of the appellant;
2. The name of the person, if any, making the request for an appeal on behalf of the appellant;
3. The address for service of the appellant;
4. The grounds for appeal (a detailed explanation of the appellant’s objections to the determination - describe errors in the decision);
5. A description of the relief requested (what the appellant wants the RPC to do at the end of the appeal);
6. The signature of the appellant or the appellant’s representative.

F. To appeal a determination or assignment, the entity that is subject to the determination must deliver a notice of appeal within twenty-one (21) calendar days after receiving the decision. If a notice of appeal is not delivered within the time required, the right to an appeal is lost.

G. The RPC has the discretion to extend the time to appeal either before or after the twenty-one (21) calendar day deadline. A request for an extension should be made to the Chair and Secretary in writing, and include the reasons for the delay in filing the notice of appeal, and any other reasons which the requester believes support an extension of time to file the appeal. In deciding whether to grant an extension, the RPC will consider whether fairness requires an extension. The RPC will consider the length of the delay, the reasons for the delay, any prejudice to those affected by the delay, and any adverse impact that may result from an extension. Other factors not identified here could also be relevant, depending on the circumstances of the particular case.

H. The RPC may reject a notice of appeal if it is determined that the appellant does not have standing to appeal, or the RPC does not have jurisdiction over the

subject matter or the remedy sought. Before an appeal is rejected, the RPC Chair will inform the appellant of this in writing, with reasons, and give the appellant a twenty-one (21) calendar day opportunity to make additions or corrections.

I. The Appeals Subcommittee has the discretion to add any other person who may be “affected” by the appeal as a party to the appeal. Anyone desiring to obtain party status should make a written request to the Appeals Subcommittee Chair as early as possible. The written request should contain the following information:

1. The name, address, telephone number and email address (if any), of the person submitting the request;
2. A detailed description of how the person is “affected” by the notice of appeal
3. The reasons why the person should be included in the appeal;
4. The signature of the person submitting the request.

J. The Appeals Subcommittee may also invite or permit someone to participate in a hearing as an intervener. Interveners are generally individuals or groups that do not meet the criteria to become a party (i.e. “may be affected by the appeal”) but have sufficient interest in, or some relevant expertise or view in relation to the subject matter of the appeal. Anyone wanting to take part in an appeal as an intervener should send a written request to the Appeals Subcommittee Chair. The written request should contain information that qualifies the intervener’s interest and expertise to assist in the matter while also demonstrating why they should not be considered a party to the appeal. Prior to inviting or permitting a person to participate in a proceeding as an intervener, or deciding on the extent of that participation, the Appeals Committee will provide all parties with an opportunity to comment if they wish to do so.

K. An appeal may be conducted by way of written submissions, oral hearing or a combination of both. The Appeals Subcommittee will determine the appropriate type of appeal after a complete notice of appeal has been received.

L. The Appeals Subcommittee will follow the general rule that the burden or responsibility for proving a fact lies with the person who asserts it.

M. Any party intending to present expert evidence at a hearing will be required to provide the subcommittee, and all other parties to the appeal, with reasonable advance notice that an expert will be called to give an opinion. The notice should include a brief statement of the expert’s qualifications and areas of expertise. If a party intends to produce, at a hearing, a written statement or report prepared by an expert, a copy of the statement or report should be provided to the Subcommittee and all parties to the appeal within a reasonable time before the statement or report is given in evidence. Unless there are compelling reasons for later admission, expert reports should be distributed not

less than twenty-one (21) calendar days prior to the hearing date.

N. If a party will be referring to a document that was not provided to the Subcommittee and all parties prior to the hearing, sufficient copies of the document must be brought to the hearing for the Subcommittee and all other parties.

O. If a party is not satisfied with the decision of the Appeals Subcommittee, he or she can appeal that decision to the full membership of the RPC or to the 700 MHz National Planning Oversight Committee or other body designated to handle matters of this nature.

As a last resort, the dispute will be forwarded to the Federal Communications Commission for final resolution.

## *2.5 Dispute Resolution – Inter-Regional*

In the event that a dispute arises between Region 49 and an adjacent region or regions, regarding channel allotments or assignments that cannot be resolved within 60 days, the parties to the dispute will request a hearing by the appropriate subcommittee of the National Regional Planning Council (NRPC), or any subsequent oversight organization. See **Appendix G** for a sample Inter-Regional Dispute Resolution Agreement, and **Attachment 1** for copies of the signed agreements between Region 49 and its adjacent Regions 40, 50, 51, and 53.

## *2.6 Plan Amendments*

Region 49 will maintain a website on which all plan documents, meetings announcements, meeting minutes, and other pertinent information will be maintained. It is anticipated that two types of plan modifications will be made in the future: administrative changes that do not alter spectrum allotments in the plan, and changes that do alter the spectrum allotments in the plan. Each of these types of changes will be handled by a different process.

- A. From time to time the Committee may need to make changes to the plan that are purely administrative in nature, and that do not alter any spectrum allotments. Examples of such changes include changes in officer positions, changes in meetings schedules, changes in application processing procedures, etc.

Proposed administrative changes to the plan will be presented to the Committee at a properly scheduled meeting, and adopted at that meeting, if possible. Upon a vote by the majority of members in attendance at that meeting, consideration of the change may be held over for subsequent meetings to allow further information to be

collected or further debate to occur. Once the proposed change is adopted by the Committee, the amended plan will be filed with the FCC for formal ratification. Copies will also be provided to the chairmen of the adjoining regions so they are aware of the administrative changes.

- B. From time to time the Committee may need to make changes to the plan that alters the allotment of channels. Examples of such changes include situations in which one county-like area has fully exhausted their initial allotment and needs additional channels to meet their demonstrated need, while other county-like areas have demonstrated no interest in planning or funding the use of their allotted channels.

Proposed changes of this nature will be presented to the Committee at a properly scheduled meeting, and will be considered at that meeting and one subsequent meeting. Once the proposed change is approved by the Committee, notification of the proposed change will be sent to the chairmen of the adjacent regions for their concurrence. The adjoining regions will be requested to provide their comments or consent within 45 calendar days of their receipt of the notification.

Once adjacent regions' comments or consent is received, or the 45 day period has expired, the Committee will again consider and vote on the proposed change at a properly scheduled meeting. Upon adoption of the change by the Committee, the amended plan will be submitted to the FCC for ratification.

### **3 Regional Plan Administration**

#### *3.1 Allotment of Narrowband "General Use" Channels*

This regional plan uses the 2008 general use channel sort as shown on the CAPRAD database for narrowband general use channels. The CAPRAD sort and allotment process used many factors, including population densities and geographic terrain features, to achieve nationwide allotments that are efficient, while minimizing co-channel and adjacent channel interference both within and between neighboring regions. Region 49 utilizes the CAPRAD database and will maintain the regional plan and current frequency allotment/assignment information on the database.

It must be emphasized that the initial allotments produced by the CAPRAD sort are starting points for frequency assignments in all regions. The major purpose of the CAPRAD sort was to establish non-interfering allotments along all regional borders, thus greatly simplifying the initial coordination between all adjoining regions. Indeed, the technical proposal paper for the initial 2003 CAPRAD sort stated, "Pre-allotments may be altered without the need for inter-regional coordination as long as adjacent regions are not impacted. Changes that impact adjacent region(s) can only be made with inter-regional concurrence(s)."

The Region 49 Regional Planning Committee has both the ability to initiate and accept recommendations, and the authority to change the frequency allotments.

If at any time a system is assigned channels within Region 49 and the system cannot be developed within the agreed terms, the channels will be returned to the original county pool allotment and again be available to other agencies in the region.

Allotments to all the counties within Region 49 have been made utilizing the national CAPRAD database sort. During the 2008 CAPRAD sort of the reconfigured 700 MHz public safety band, regions were given the opportunity to have the sort done at 25 KHz spacing (as had been done nationwide in the 2003 sort), or at 12.5 KHz spacing. In region 49, representatives of 23 counties chose to have the sort for their counties at 12.5 KHz spacing. Representatives of 7 counties (Bell, Coryell, Hamilton, Lampasas, Milam, Mills, and San Saba) chose to have the sort for their counties at 25 KHz. **Appendix F** reflects the results of these choices.

It is expected that all agencies requesting spectrum during the initial filing window (see Section 3.6.A) will be assigned channels if plan requirements and interference standards are met. Agencies using 25 KHz channels will be expected to maintain 12.5 KHz equivalency when developing systems and will be required to utilize both 12.5 KHz portions of the 25 KHz block. To the maximum extent possible, and in order to promote spectrum efficiency, Region 49 will ensure that systems allocated 25 KHz channel blocks will utilize all of the channel, and not "orphan" any portions of an assigned channel. (See Section 3.5, below)

### *3.2 "Limited Area" Operations*

In the implementation of 700 MHz public safety systems throughout Region 49, there may be opportunities for increased channel reuse by developing radio systems for "limited area" type operations. Examples of those who may be able to capitalize on this opportunity include hospitals, stadiums, malls, places of public gathering, universities, and ports. In many instances, these facilities require a smaller or more specific geographical coverage area than was

assumed in the channel packing plan, and may be able to reuse channels more efficiently. These “limited area” type systems also, in many cases, require in-building or confined space/ tunnel radio coverage or communications along a linear pathway, such as a right of way.

To encourage applicants to develop such “limited area” type systems, the Region 49 Regional Planning Committee has determined that the use of “limited area” channels will supplement, and not reduce the number of a county’s allotted channels. Channels assigned to this type operation can lead to effective system development, along with increased spectral efficiency, if the service contour and interference protection needs of the system are carefully considered in system planning. System parameters must be used that are appropriate to the service area.

The following criteria apply to channels for “limited area” operations:

The 40dBu service contour of the proposed system must not extend more than 2 miles beyond the proposed service area. If this 2-mile distance extends into an adjacent region, the applicant must obtain concurrence from the adjacent region. For co-channel assignments, the 40dBu (50,50) service contour of the proposed system may touch, but not overlap, the 5dBu (50,50) contour of a co-channel system being protected. A proposed system shall be allowed to have its 60dBu(50,50) contour touch, but not overlap the 40dBu service contour of an adjacent/alternate system being protected. Evaluations should be made in both directions to ensure compliance. Reduced external antenna height, along with reduced ERP, directional antennas, distributed antenna systems, and radiating “leaky coax,” are examples of tools that should be utilized in the development of these type systems.

Region 49 will ensure that these types of systems will not interfere with co-channel or adjacent channel users within the region or its adjacent regions. The chairman, or any agency with co-channel or adjacent channel assignments, or any agency with co-channel or adjacent channel allotments, may request engineering studies from the applicant that indicate no harmful interference will be introduced to any co-channel or adjacent channel user prior to application approval. The committee is the final authority on parameters associated with “limited area” type operations.

If Region 49 receives a request for “limited area” use and the proposed service contour encroaches into an adjacent region before the channel is assigned to a specific system in that region, the proposed system must be modified so its service contour does not encroach into the adjacent region or the applicant must supply the Region 49 700 MHz Regional Planning Committee with written concurrence from the adjacent region allowing the design.

### 3.3 “Give Back” Channels

When applying for new 700 MHz channels, the Regional Planning Committee expects applicants to relinquish an amount of currently used spectrum (“give back channels”) and make that spectrum again available for use. This currently licensed spectrum may be in any public safety band. This requirement does not apply to agencies with existing 800 MHz systems that are requesting 700 MHz channels for system expansion. The number of channels an applicant may retain after this “give back” may include those needed for interoperable communications with surrounding jurisdictions. If an agency considers the number of channels relinquished by the applicant to be insufficient, their objection will be handled in the same manner as an assignment dispute (see section 3.7).

It is anticipated each agency will have a certain migration period during which both their existing frequencies and their 700 MHz assignments will be utilized. The Regional Planning Committee will review and approve an appropriate “give back” timetable that will allow a specified time period for new system optimization. This will make an applicant’s legacy system available to the applicant for a limited time period during migration, implementation, and optimization of the new system. When both the applicant and the Regional Planning Committee agree upon the number of “give back” channels and a date is established for implementation of the new system, the applicant will provide the committee with a ‘giveback agreement’ letter containing all pertinent give back channel information. This will enable other agencies in the area to benefit from, license, and implement the applicant’s “give back” channels.

Frequency “give back” requirements also apply for regional systems where system participants maintain discrete licenses for their own operations. In the case of a partnership system, all participating political subdivisions or agencies are required to participate in the “give back” plan. Should one political subdivision or agency act as host of a regional system, both the host agency and the constituent agencies must participate in the “give back” plan. Region 49 may utilize any mechanism needed to retain “give back” frequencies within the region and allow for maximum spectral use.

Frequencies used for non-voice critical infrastructure support functions [such as Supervisory Control and Data Acquisition (SCADA) systems] as well as frequencies that are used for interoperability with other regional, state, or national agencies that rely on other frequency bands for emergency operations (such as, but not limited to, the Texas Interoperability Channel Plan channels), may be exempted by the committee as candidates for “give back”. Frequencies used by an applicant for such purposes, as well as the specific use and a network/system diagram, must be shown in the application documentation package to enable the Regional Planning Committee to consider exemptions.

Operational Fixed, or any frequency or radio sub-system used for fixed mode of operations to support the operation of another radio system shall be considered part of the “give back” along with the fundamental system being returned. They comprise an inclusive unit.

Microwave frequencies, or systems licensed within the “Microwave Public Safety Pool” (radio service Code “MW”) shall be exempt from this requirement.

In cases of hardship or untoward implementation, the Regional Planning Committee will consider, on a case-by-case basis, extensions of the “give back” timetable. Should there be a protest the dispute resolution process in Section 2.4 of this document shall apply.

### *3.4 Low Power Channels*

The FCC in the 700 MHz band plan set aside channels 1 - 8 paired with 961 – 968, and channels 949 –958 paired with 1909 – 1918, for on-scene incident response purposes using low power mobiles and portables subject to Commission-approved regional plans. Channels 9 –12 paired with 969 – 972, and channels 959 – 960 paired with 1919 – 1920, are licensed nationwide for itinerant operation. Transmitter power and/or ERP on any of these channels must not exceed the maximum allowed by the FCC for these channels. All of these channels may be operated in either the analog or the digital mode.

This plan does not limit use to analog only operations, and channels are intended for use in a wide variety of applications that may require digital modulation types as well.

On scene temporary base and mobile relay stations are allowed (to the extent FCC rules allow) with antenna height limit of 6.1 meters (20 feet) above ground level (AGL). However, users are encouraged to operate in simplex mode with the least amount of power to reliably maintain communications whenever possible.

In its dialog leading up to the rules allocating the twenty-four low power 6.25 KHz frequency pairs (of which eighteen fall under RPC jurisdiction), the FCC suggested that there is a potential for multiple low power applications. They stated that, absent a compelling showing, a shared approach should be employed rather than making exclusive assignments for each specific application, since low power operations can co-exist, in relatively close proximity, on the same frequencies, with minimal potential for interference due to the FCC power and/or ERP restriction. Although advantages exist in not making assignments, the reverse is also true. If, for example, firefighters operate on a specific channel or set of channels in one area, there is some logic in replicating that usage throughout the region for firefighter equipment. If there are no assignments, such a replication is unlikely. In seeking the middle ground, with

positive attributes both for and against assignments, we adopt the following assignments associated with the eighteen (18) low power channels for which the Region 49 Regional Planning Committee has responsibility:

Generic – Base channel #'s 1-4 and 949-952 are designated as generic low power channels for licensing and use by all disciplines of public safety agencies operating in Region 49, and the complementary mobile channels #'s 961-964 and 1909-1912 are set aside as generic low power channels for licensing and use by all disciplines of public safety agencies operating in Region 49.

Fire/ EMS – Base channel #'s 5-8 are designated as Fire/Emergency Medical low power channels for licensing and primary use by the Fire/Emergency Medical disciplines, and the complementary mobile channel #'s 965-968 are set aside as Fire/Emergency Medical low power channels also for licensing and primary use by the Fire/Emergency Medical disciplines.

Law – Base channel #'s 953-956 are designated as Law Enforcement low power channels for licensing and primary use by the Law Enforcement discipline, and the complementary mobile channel #'s 1913-1916 are set aside as Law Enforcement low power channels also for licensing and primary use by the Law Enforcement discipline.

Multidisciplinary Joint Public Safety Operations – Base channel #'s 957-958 are designated as Multidisciplinary Joint Public Safety Operations low power channels for licensing and the complementary mobile channel #'s 1917-1918 are also designated as Multidisciplinary Joint Public Safety Operations low power channels for use by political subdivisions and public safety agencies operating under a unified command at a common incident for the express mission of safety of life, property or environment.

Simplex operations may occur on either the base or mobile channels. Users are cautioned to coordinate on-scene use among all agencies involved, particularly when the use of repeater modes is possible at, or in proximity to, a common incident. Users should license multiple channels and be prepared to operate on alternate channels at any given operational area. The Region 49 Regional Planning Committee urges all 700 MHz users to have the capability to access all of the FCC approved low power and interoperability channels in both repeater and simplex modes. Under no circumstances may a user claim a low power channel as exclusively theirs. The 700 MHz interoperability channels are administered by the Texas Statewide Interoperability Executive Committee.

### 3.5 “Orphaned Channels”

Some narrowband pool allotments in Region 49 have a channel bandwidth of 25 KHz.

These 25 KHz allotments have been characterized as “technology neutral” and flexible enough to accommodate diverse technologies utilizing multiple bandwidths. If agencies choose a technology that requires less than 25 KHz channel bandwidth for their system, there is the potential for residual, “orphaned channels” of 6.25 KHz or 12.5 KHz bandwidth immediately adjacent to the assigned channel within a given county area. An “orphan channel” may be used at another location and/or by another licensee within the county area where it was originally assigned, if it meets co-channel and adjacent channel interference criteria.

When it is in the best interest of public safety communications and efficient spectrum use within the region, the Regional Planning Committee shall have the authority to move these “orphan channel” allotments, and/or co-channel or adjacent channel allotments affected by the movement of “orphan channels,” to other areas throughout the region, as deemed necessary, to maintain spectrum efficiency and/or minimize co-channel or adjacent channel interference. If, to accommodate an applicant’s request for channel assignments, it is necessary to move a full 25 KHz channel allotment, or a portion thereof, to a location outside of the county area in which it was originally allotted, the Regional Planning Committee will determine if the request meets frequency coordination and interference protection guidelines, and should be moved to accommodate the request.

If the movement of a full or partial channel allotment is deemed in the best interest of the public safety community, and the full or partial channel is relocated less than 10 miles outside the originally-allocated county boundaries, and both the old and new locations are more than 30 miles from the boundaries of any region adjoining Region 49, no plan amendment will be required. These channel allotment movements will be documented on the CAPRAD database.

If a full or partial channel allotment does not meet co-channel and adjacent channel interference criteria when moving it within the 10 mile distance as listed above, and it is determined by the committee that the full or partial channel cannot be utilized in the region without exceeding the 10 mile distance, Region 49 will reallocate the full or partial channel to a location where its potential use will maintain maximum spectral efficiency.

If the movement of a full or partial channel allotment is deemed in the best interest of the public safety community, and the relocation requires moving a channel allotment from one region to another in the interest of inter-regional sharing and cooperation, each region shall amend its plan and submit the

amended plan to the FCC accompanied with written concurrence statements from the participating and adjoining regions.

### *3.6 Procedure for Requesting Channel Assignments*

A diagram of the Region 49 700 MHz application process has been included in this plan as **Appendix H**.

- A. Upon FCC approval of this plan, the chairman will announce the opening of an initial filing window, and that specific channels have been allotted to each county area in the region. All available methods will be used to notify public safety entities of the filing window and channel availability in the region (see Section 2.1). Subsequent filing windows will be established at 6 month intervals.

Following the close of the first filing window, thirteen (13) successive filing windows will occur at six month intervals. In addition to processing any applications received during the fourteenth filing windows, the Committee will also then make a decision on whether to add additional filing windows, or to allow the filing window approach to automatically sunset.

If no action is taken by the Committee to add additional filing windows, subsequent applications will be received and processed on a first-come, first served basis. Channel assignments will not be constrained to the allocations of this plan, but, instead, will be made opportunistically to allow for the best possible spectrum utilization while meeting the needs of active applicants. This could result in spectrum allotted to some county-like areas, but has sat fallow for seven years, being applied for and made productive by applicants who are making active use of the 700 MHz spectrum.

- B. All requests for assignments of channels will be considered on a first come, first served basis. Multiple requests for the same channels arriving in the same filing window, and requests for more channels than are allotted to the applicant's area, will be processed in accordance with the priority matrix given in Section 4 of this plan. Region 49 supports the National Coordination Committee Pre-Assignment Rules and Recommendations listed in **Appendix E**, and will use these guidelines to determine if an application submitted to the Regional Planning Committee meets regional planning and interference protection standards. It is recommended that applicants familiarize themselves with these standards prior to submitting their applications. In general, and unless otherwise noted, the Region 49 Regional Planning Committee will adhere to the published National Coordination Committee Guidelines for 700 MHz Public Safety Regional Planning Committees.

- C. When applying for new 700 MHz channels, the Regional Planning Committee expects applicants to work with neighboring agencies to promote and continue the establishment of interoperability within their communities, to allow for equitable distribution of the frequency allotments, and to promote efficient frequency use. The Region 49 Regional Planning Committee expects applicants to recognize that moving to the 700 MHz band may create a degree of isolation between themselves and neighboring agencies, and expects applicants to maintain or improve interoperability with their neighbors.
- D. To request an assignment of channels from Region 49, a full application package must be submitted to the CAPRAD database at <http://caprad.org>. The application package must include:
1. FCC Form 601 (or its equivalent form as required by the FCC) with all appropriate schedules and attachments;
  2. a description of the proposed system;
  3. a justification for the additional spectrum;
  4. a proposed system loading schedule;
  5. a proposed system implementation schedule;
  6. an interference prediction map using the current version of TIA/EIA TSB 88 guidelines;
  7. documents indicating agency-funding commitments sufficient to fund the development of the proposed system(s);
  8. a list of all frequencies that will continue to be used by the applicant, and their specific uses;
  9. a list of "give-back" channels, if applicable;
  10. a list of all Region 49 entities with co-channel or adjacent channel assignments, and a statement indicating the date and manner by which each of these entities was notified of this application; and
  11. a statement acknowledging the FCC's deadline of 12/31/2016 for operating at 6.25 KHz channel spacing, or its equivalent.

Exceptions in accepting applications will be made by the chairman if applicants have demonstrated a need for 700 MHz channels and cannot access the CAPRAD database.

E. The secretary will cause all then-current Regional Planning Committee members to be notified by e-mail that an application is available for review, and notice of the application will also be posted on the Region's web site and list server. Requests will be considered and approved, providing that harmful interference is not caused to existing users. The technical parameters defining the limits of any possible interference are given in section 7.1 of this plan. Service area and service contours should also meet the values designated in section 7.1 of this plan. As frequencies allocated to the counties are assigned and used, requests for short-spacing of channels that meet the FCC's criteria for short-spacing will be considered on a case-by-case basis.

Absent a protest within 60 calendar days of the secretary's e-mail notification, the application will be approved, and (if applicable), upon receipt of a "giveback agreement" letter (see Section 3.3), the chairman or his delegate will submit it, through the CAPRAD database, to the applicant's preferred FCC certified frequency coordinator for processing. This process meets the requirements of FCC Rule 90.176 (c). The CAPRAD database will reflect the approved application and place the channels for the proposed system in "pre-license" status.

### *3.7 Assignment Disputes*

An agency may protest a proposed system within 60 calendar days following the secretary's e-mail notification. Protests will only be considered if the requested assignment does not conform to plan criteria or the objecting agency or the chairman can show that harmful interference is likely based on the information submitted in the application. If an agency with licensed, or pre-licensed/region assigned, co-channel or adjacent channel assignments objects to a proposed assignment due to concerns about potential interference, the objecting agency may request field tests be done to confirm or refute the interference potential. The completion of these field tests will be required for Region 49 application approval. Service and interference contours of the proposed system(s) should meet values designated in Section 7.1 of this document. Any costs associated with field tests or any other requirements for obtaining regional approval are the responsibility of the agency submitting the application to Region 49. The parties involved must resolve the assignment dispute and notify the chairman within 120 calendar days. If the parties involved cannot resolve the assignment dispute within that time frame, the dispute will be handled by the appeals process described in section 2.4. If approved, the application will be submitted through the CAPRAD database to the applicant's chosen FCC-certified frequency coordinator for processing.

Any application that has been modified in any way that would change the systems' coverage or interference contours must be resubmitted in the same manner as the original application, and new 60 day e-mail notifications will be made.

### *3.8 NPSPAC Channels*

If a 700 MHz applicant has not yet fully exhausted its 821 MHz (806 MHz after Rebanding) allotments, the 700 MHz RPC should encourage the applicant, where technically appropriate, to fully utilize their 821 MHz allotments first. The purpose for this is to ensure maximum utilization of all allotted spectrum with similar technical characteristics.

## **4 Priority Matrix**

In the event that several requests for narrowband channel assignments conflict and cannot all be accommodated, the following scoring matrix will be used to determine priority for assignment. This matrix will only be used if two or more requests are received in the same filing window for the same channels. Otherwise, the first come first served procedure of Section 3.6.B will be used.

Priority is given to the first application filed within a filing window, as determined by the CAPRAD posting date, postmark, or their equivalent (10 points).

Priority is given to users fundamentally involved with the protection of life and property (15 points)

Priority is given to multi-agency systems that promote multi-agency, inter-discipline interoperable communications. These systems can be either a group of separate departments within a large agency or groups of agencies operating together under a large blanket agency, or a combination of both. (25 points)

Priority is given to systems that achieve spectrum efficiency through high levels of channel loading. (25 points)

Documentation of proposed funding and proof of financial commitment, accompanied by a RFP (Request for Proposal) outlining the design of the proposed system and detailing the development of the requested channels. (25 points)

The percentage of the applicant's existing frequencies that will be available for re-use (give-back frequencies). (10 points)

This scoring process will be performed by the five member Intra-Regional Appeals Subcommittee (see section 2.4) using the above criteria.

## **5 Process for handling unformed adjacent Regions**

All four of the regions adjacent to Region 49 have formed their committees and have elected their chairmen. Therefore, there is no need for a process for handling unformed adjacent regions.

## **6 Coordination with Adjacent Regions**

The Regions adjacent to Region 49 are listed below:

- Region 40
- Region 50
- Region 51
- Region 53

Region 49 has coordinated channel allotments and received concurrence from all its bordering regions by providing copies of this plan (including channel allotments) to each adjacent region using the CAPRAD database and e-mail, and by mailing hard copies of the plan to all adjacent regions' chairmen.

Region 49's plan will also be available for viewing by all interested parties via the CAPRAD 700 MHz database. The CAPRAD pre-coordination database can be used to determine which channels are available that will not interfere with Region 49 allotments or systems. The CAPRAD database and its associated packing plan provides minimum channel allotments for all of Region 49's bordering regions. This method was recommended by the NCC Implementation Subcommittee as a way to assure that adjacent regions, which did not enter the regional planning process immediately, would not find all frequencies already allotted or assigned at their borders.

Therefore, adjacent Regions 40, 50, 51, and 53 should all be able to satisfy voice and narrowband data requests along their border areas with Region 49. However, if an adjacent region has difficulties satisfying intra-regional requests due to channel allocation within Region 49, this committee pledges to work with that adjacent region to resolve any issues that might hinder interoperability or reduce any benefit to public safety communications.

## 7 System Design/Efficiency Requirements

### 7.1 Interference Protection

The channel allotments are based on the assumption that systems will be engineered on an interference-limited basis, not a noise floor-limited basis. Agencies are expected to design their systems for maximum signal levels within their service area and minimum levels in the service areas of other co-channel users. A jurisdiction's service contour is normally the geographical boundaries of the agency served (its service area) plus an area three to five miles beyond.

Systems should be designed for minimum signal strength of 40 dBu in the system's service contour, while minimizing signal power out of that area. TIA/EIA TSB88-A (or latest version) will be used to determine harmful interference, assuming 40 dBu, or greater, signal in all systems' service contours. This may require patterned antennas and extra sites compared to a design that assumes noise limited coverage.

To maximize spectrum utilization, prudent engineering practices and receivers of the highest quality must be used in systems. Given a choice of radios in a given technology family, agencies should choose the units with the best specifications. This plan will not protect agencies from interference if their systems are under-constructed (i.e., portions of the desired service area have signal strength less than 40 dBu), or utilize low quality receivers.

Region 49 adopts the interference protection recommendations listed in Appendix K of the Regional Planning Committee Guidelines published by the National Coordination Committee (NCC), and included in this plan as **Appendix E**.

### 7.2 Spectrum Efficiency Standards

It is the goal of the FCC for radio equipment to use one voice channel per 6.25 KHz of spectrum. Requests for channel assignments in Region 49 must include an acknowledgement of the 12/31/2016 deadline for converting all equipment to 6.25 KHz or 6.25 KHz equivalent technology. Where possible, narrowband 6.25 KHz channels may be aggregated for data use to a maximum bandwidth of 25 KHz. As 6.25 KHz migration continues, "orphaned" 6.25 KHz channels may be re-allotted to maintain consistent grouping and utilization of 25 KHz blocks (see Section 3.5).

Region 49 encourages small agencies to partner with other agencies in multi-agency or regional systems as they promote spectrum efficiency and both small and large agency capacity needs can be met. Loading criteria can also be

achieved in multi-agency systems that will allow greater efficiency for all agencies involved than could be achieved individually.

### 7.3 System Loading Criteria

Efficient use of spectrum requires minimum channel loading standards both for trunked and conventional system architectures. Subscriber loading for conventional systems in the 700 MHz band will be approved on a case-by-case basis

FCC rules require that systems using 6 or more channels use trunking technology. However, trunking may be used for systems with fewer channels. The following table indicates the minimum subscriber loading criteria within the 5 year slow-growth period for trunked systems in the 700 MHz band:

<b>Subscriber units</b>	<b>12.5 KHz Talk Paths (or equivalent)</b>	<b>Subscriber units</b>	<b>12.5 KHz Talk Paths (or equivalent)</b>
50-100	2	300-350	7
100-150	3	350-400	8
150-200	4	400-450	9
200-250	5	450-500	10
250-300	6		

Additional channels may be assigned for larger trunked systems at the rate of one additional talk path per 75 subscriber units exceeding 500 units. Applicants requesting additional frequencies to expand an existing system must show loading of 100 % or more on their existing system.

Justification for adding frequencies or retaining existing frequencies may be provided by a traffic loading study instead of loading by the count of subscriber units per talk path. It will be the responsibility of the applicant to provide a verifiable study showing sufficient airtime usage to merit additional frequencies. Documentation of airtime usage, excluding telephone interconnect air time, during the peak busy hour on three consecutive days will be required to demonstrate system loading.

It is also recognized that systems or sites may be licensed in Region 49 which are part of larger regional radio systems which may be networked, or have their master control in another region, and which allow for subscriber roaming throughout multiple regions. Loading for these systems or sites may consider the effects of system wide roaming, and will be determined on a case-by-case basis.

Should a demand for frequencies exist in the region after the supply of assignable frequencies has been exhausted, any system having frequencies assigned under this plan for four years or longer that is not loaded to a least 70 % of subscriber loading may be required to surrender one or more frequencies for reassignment .

#### *7.4 Expansion of Existing 800 MHz Systems*

Licensees of existing 800 MHz systems that wish to expand by using 700 MHz frequencies must meet the requirements of the FCC and both this 700 MHz plan and the Region 49 800 MHz Public Safety Radio Communications Plan. If the two Region 49 plans are in conflict, the dispute resolution process outlined in Section 2.4 will be used on a case-by-case basis to determine which plan governs.

#### *7.5 System Implementation*

An agency may file a request with the Regional Planning Committee chairman for an extension of time to implement their system. The request should include all details describing why the system has not been implemented, and a new implementation schedule. The request will be processed in the same manner as an application for assignments (see section 3.6.E), with any dispute handled according to section 3.7.

## **8 Interoperability Channels**

### *8.1 Introduction*

The ability of agencies to effectively respond to mutual aid requests directly depends on their ability to communicate with each other. Texas is subject to a variety of natural disasters and includes facilities which may be susceptible to a man-made disasters or weapons of mass destruction attacks. Mutual aid is required among agencies. This plan supports the communications necessary for effective mutual aid, including, but not limited to, the use of Project 25 Common Air Interface standards and accepted common channel names for interoperability channels.

The addition of new communications systems on the 700 MHz band may increase overall interoperability challenges rather than lessen them. While some new 700 MHz systems may completely replace all legacy systems in some areas, most will probably add to the mix of communications options available in an area.

Therefore, as new 700 MHz systems are planned and deployed, it will be extremely important for their operators to be well informed about other legacy systems in all other bands that are operating in their area, or in areas where they may be called upon to provide mutual aid assistance. Since it is unlikely that the time will come when all public safety communications system operate in a single frequency band with a single technology, only good system planning and cooperation will enable reasonable levels of interoperability to be sustained.

The most common strategy that has been followed in the past, and that this plan anticipates will be followed in Region 49 700 MHz system deployments, is the concept of new systems incorporating appropriate interoperability into their plans and designs, rather than expecting the legacy systems to figure out how to operate with the new system. New 700 MHz systems not only need to meet the interoperability requirements for that band; they also need to provide mechanisms to interoperate with VHF, UHF, and other users to a level that is appropriate for their circumstances..

The State of Texas administers the 700 MHz interoperability channels via the Texas Statewide Interoperability Executive Committee (TSIEC) under National Coordination Committee's (NCC) guidelines. The TSIEC has published technical and operational standards for use of the interoperability channels, and it is anticipated that the TSIEC will continue to expand and update these standards as necessary. The Region 49 700 MHz Regional Planning Committee supports the Texas Statewide Interoperability Executive Committee. The Chairman of the Region 49 700 MHz Regional Planning Committee, or his delegate, is a member of the Texas Statewide Interoperability Executive Committee (TSIEC) and represents Region 49. If at any time the TSIEC is unable to function in the role of administering the interoperability channels in the 700 MHz band, this committee will assume that role in Region 49, and notify the FCC in writing of the change in administrative duties.

## *8.2 Tactical Channels*

Due to the immediate availability of 700 MHz public safety channels in most areas of central Texas, Region 49 will not set aside additional channels for interoperability within the region. It is anticipated that the sixty-four FCC designated interoperability channels (6.25 KHz) will be sufficient to provide voice and data interoperability in Region 49.

All mobile and portable units operating under this plan and utilizing 700 MHz channels must be programmed with the minimum number of channels required either by NCC guidelines or by the Texas Statewide Interoperability Executive Committee, whichever number is greater, both in the repeater and direct mode. Channel displays will be in accordance with the state or national guidelines that

have common alphanumeric nomenclature to avoid any misinterpretation of their identity.

### *8.3 Deployable Systems*

Region 49 strongly supports use of deployable systems, both conventional and trunked. Deployable systems are prepackaged systems that can deploy by ground or air to an incident to provide additional coverage and capacity on designated 700 MHz interoperability channels and/or agency specific general use channels. This will minimize the expense of installing extensive fixed infrastructure in all areas while still providing mission critical functionalities. The committee recognizes the difficulty of providing complete coverage in all areas due to financial, demographic and geographical constraints.

Agencies should have conventional deployable systems capable of being operated on any of the FCC designated and NCC/state/local recommended interoperability tactical channels. Those agencies that are part of a multi-agency trunked system and commonly provide mutual aid to each other are encouraged to have trunked deployable systems that operate on the tactical channels designated by the FCC for this use. The TSIEC will develop the operational details for deploying these systems.

### *8.4 Monitoring of Calling Channels*

700 MHz general use channel licensees in Region 49 will be responsible for monitoring interoperable calling channels in the manner prescribed by the TSIEC. **Appendix D** includes NCC and other documents containing Interoperability guidelines.

## **9 Future Planning**

The provisions in this plan, including, but not limited to, annual meetings, annual review of channel allotments, procedures for modification of allotments, and procedures for modification of the plan itself, constitute the provisions for future planning in Region 49.

## 10 Certification

I hereby certify that all planning committee meetings, including subcommittee or executive committee meetings were open to the public. A summary of the deliberations of the committee pursuant to adopting this plan can be found in **Appendix C.4**, in the minutes of the April 9, 2010, Regional Planning Committee meeting.



Ronald G. Mayworm  
Chairman, Region 49

# Appendix A

## BYLAWS OF REGION 49 (CENTRAL TEXAS) 700 MHZ REGIONAL PLANNING COMMITTEE

### ARTICLE I

#### NAME & PURPOSE

The name of this committee shall be the Region 49 (Central Texas) 700 Mhz Regional Planning Committee. Its primary purpose is to foster cooperation between members, to develop a Regional Plan for use of the 700 Mhz Public Safety band in the 30 county Central Texas area, and to implement that plan. This committee is formed in accordance with 47 USC 90.257 and the procedures detailed in the Federal Communication's *First Report and Order and Third Notice of Proposed Rulemaking* (14 FCC Rcd 152), and the *Second Memorandum Opinion and Order* (15 FCC Rcd 16851).

### ARTICLE II

#### MEMBERS

For purposes of this Article, the term "member," unless otherwise specified, refers to both voting and nonvoting members.

- 2.1 Number, Election and Qualification. The Regional Committee shall have two classes of members, "voting members" and "non-voting members." New members may be added at annual, special, or regular meetings.
  - A. Voting Members. Voting members shall consist of one representative from any agency engaged in public safety in the thirty (30) county Central Texas area (the Counties of Bastrop, Bell, Blanco, Bosque, Brazos, Burleson, Burnet, Caldwell, Coryell, Falls, Fayette, Freestone, Grimes, Hamilton, Hays, Hill, Lampasas, Lee, Leon, Limestone, Llano, Madison, McLennan, Milam, Mills, Robertson, San Saba, Travis, Washington, and Williamson) that is eligible to hold a license under 47 CFR 90.523 or 47 CFR 2.103. No single agency shall be allowed more than one member for each distinct eligibility category (e.g. police, fire, EMS, highway) within the agency's organization or political jurisdiction. When voting on any issue, upon the specific request of any member, the voting members must identify themselves and the agency and eligibility category which they represent. Voting members may not vote on issues involving their entity.
  - B. Non-Voting Members. Non-voting members are all others interested in furthering the goals of public safety communications.
- 2.2 Tenure. Each member shall hold membership from the date of acceptance until resignation or removal.

- 2.3 Powers and Rights. In addition to such powers and rights as are vested in them by law, or by these bylaws, the members shall have such other powers and rights as the membership may determine from time to time.
- 2.4 Suspension and Removal. A member may be suspended or removed with cause by vote of a majority of members held at an annual, special, or regular meeting, after reasonable notice and an opportunity to be heard. Failure to attend 50% of meetings held in a calendar year, either in person or by proxy, shall be a specific cause for removal from the membership.
- 2.5 Resignation. A member may resign by delivering written resignation to any officer of the Regional Committee or to a meeting of the members.
- 2.6 Proxies. Voting members may vote either in person or by written proxy dated not more than one month before the meeting named therein, which proxies shall be filed with the secretary or other person responsible for recording the proceedings of the meeting. Unless otherwise specifically limited by their terms, such proxies shall entitle the holders thereof to vote at any adjournment of any meeting. The proxy shall terminate after the final adjournment of such meeting.

## **ARTICLE III**

### **MEETINGS**

- 3.1 Annual Meetings. An annual meeting of the members shall be held at Austin, Texas, on the fifteenth day of October of each year, or if that date is a weekend or legal holiday in the place where the meeting is to be held, then on the next succeeding business day that is not a legal holiday. If an annual meeting is not held as herein provided, a special meeting of the members may be held in place thereof with the same force and effect as the annual meeting, and, in such case, all references in these bylaws, except in this Section 3.1, to the annual meeting of the members shall be deemed to refer to such special meeting. Any such special meeting shall be called and notice shall be given as provided in Sections 3.2 and 3.4.
- 3.2 Special Meetings. Special meetings of the members may be held at any time and at any place within the regional area. Special meetings of the members may be called by the chairman, or in case of death, absence, or incapacity, by any other officer, or upon written application to the secretary of two or more members.
- 3.3 Regular Meetings. Regular meetings of the committee shall be held periodically according to a schedule established in the Regional Plan. It is the prerogative of the Chairman to cancel any regular meeting at which there is no business to be conducted..
- 3.4 Call and Notice.
- A. Meetings. Reasonable notice of the time and place of annual, special, and regular meetings of the members shall be given to each member. Such notice must specify the purposes of the meeting.
  - B. Reasonable and sufficient notice. Except as otherwise expressly provided, it shall be reasonable and sufficient notice to a member to send notice by mail at least fifteen (15) business days, or by e-mail/facsimile at least ten (10) business days before the meeting, addressed to such member at his or her usual or last known business address, or, to give notice to such member in person or by telephone at least ten (10) business days before the meeting.

- 3.5 Quorum. At any meeting of the members thirty (30) per cent of the voting members as of the close of the most previous Annual, Special, or Regular meeting shall constitute a quorum. Any meeting may be adjourned to such date or dates not more than ninety days after the first session of the meeting by a majority of the votes cast upon the question, whether or not a quorum is present, and the meeting may be held as adjourned without further notice.
- 3.6 Action by Vote. Each voting member shall have one vote; non-voting members have no right to vote. When a quorum is present at any meeting, a majority of the votes cast by the voting members present shall decide any question, including election to any office, unless otherwise provided by law or by these bylaws.
- 3.7 Action by Writing. Any action required or permitted to be taken at any meeting of the members may be taken without a meeting if all members entitled to vote on the matter consent to the action in writing and the written consents are filed with the records of the meetings of the members. Such consents shall be treated for all purposes as a vote at a meeting.

## ARTICLE IV

### OFFICERS AND AGENTS

- 4.1 Number and qualification. The officers of the Regional Committee shall be a chairman, treasurer, secretary and such other officers, if any, as the voting members may determine.
- 4.2 Election. The officers shall be elected by the voting members at the first meeting and, thereafter, at the annual meeting of the members.
- 4.3 Tenure. The officers shall each hold office until the annual meeting of the members held within a year from the adoption of these bylaws, or until their successor, if any, is chosen, or in each case until he or she sooner dies, resigns, is removed or becomes disqualified.
- 4.4 Chairman. The chairman shall be the chief executive officer of the Regional Committee and, subject to the control of the voting members, shall have general charge and supervision of the affairs of the Regional Committee. The chairman shall preside at all meetings of the Regional Committee.
- 4.5 Treasurer. The treasurer shall be the chief financial officer and the chief accounting officer of the Regional Committee. The treasurer shall be in charge of its financial affairs, funds, and valuable papers and shall keep full and accurate records thereof. The office of Treasurer may be combined with the office of Secretary.
- 4.6 Secretary. The secretary shall record and maintain records of all proceedings of the members in a file or series of files kept for that purpose, which file or files shall be kept within the Region and shall be open at all reasonable times to the inspection of any member. Such file or files shall also contain records of all meetings and the original, or attested copies, of bylaws and names of all members and the address (including e-mail address, if available) of each. If the secretary is absent from any meeting of members, a temporary secretary chosen at the meeting shall exercise the duties of the secretary at the meeting. The office of Secretary may be combined with the office of Treasurer.

- 4.7 Suspension or Removal. An officer may be suspended with cause by vote of a majority of the voting members.
- 4.8 Resignation. An officer may resign by delivering his or her written resignation to any other officer of the Regional Committee. Such resignation shall be effective upon receipt (unless specified to be effective at some other time), and acceptance thereof shall not be necessary to make it effective unless it so states.
- 4.9 Vacancies. If the office of any officer becomes vacant, the voting members may elect a successor. Each such successor shall hold office for the remainder terms, and in the case of the chairman, treasurer and secretary until his or her successor is elected and qualified, or in each case until he or she sooner dies, resigns, is removed or becomes disqualified.

## **ARTICLE V**

### **AMENDMENTS**

These bylaws may be altered, amended or repealed in whole or in part. The voting members may by a two-thirds vote, alter, amend, or repeal any bylaws adopted by the Regional Committee members or otherwise adopt, alter, amend or repeal any action taken by the voting members.

## **ARTICLE VI**

### **DISSOLUTION**

This Regional Committee may be dissolved by the vote of two-thirds plus one of the members in good standing at a special meeting called for such purpose. On dissolution, any assets remaining shall be distributed to one or more regularly organized and qualified charitable, educational, scientific or philanthropic organization(s) selected by those members in attendance at this special called meeting. The FCC shall be notified.

## **ARTICLE VII**

### **RULES OF PROCEDURES**

The Conduct of Regional Meetings including, without limitation, debate and voting, shall be governed by Robert's Rules of Order, newly revised 2000 edition, tenth edition, Henry M. Robert III, William J. Evans, Daniel H. Honeman, and Thomas J. Balch.

## Appendix B

### Region 49 (Central Texas) 700 MHZ Regional Planning Committee Membership

Name	Entity	Agency	Address	City	Zip	Email	Voting Member
Mayworm, Ron	Brazos Valley COG	BVCOG	PO Drawer 4128	Bryan	77802	ron@ktsignals.com	Y
Petrey, Greg	Brazos County		300 E. 26th Street	Bryan	77803		Y
Wilson, Dennis	Limestone County	Sheriffs Office	1221 E Yeagua St.	Groesbeck	76642	ddwilson@glade.net	Y
Ford, Don	Limestone County	Fire Dept.					Y
Whitaker, HD	Freestone County	Sheriffs Office	PO Drawer 47	Fairfield	75840		Y
Bushaker, Clinton	Winchester Area VFD	VFD	8810 FM 153	Winchester	78945		Y
Horcica, Ronnie	City of College Station	Police Dept.	2611 Texas Ave. South	College Station	77840	rhurcica@ci.college-station.tx.us	Y
Keener, Charles	City of Burleson	Police Dept.	225 W. Renfro	Burleson	76028	crknnr@txcyber.com	Y
Biederman, Ken	Burleson County	VFD					Y
Sanders, Art	M/A-COM					verd.sandersar@tycoelectronics.com	N
Cochran, John	City of Luling	Police Dept.	1800 E. Pierce	Luling	78648	jc7100@hotmail.com	Y
Young, Gary	City of Copperas Cove	Fire Dept.	415 S. Main St	Copperas Cove	76522	gyoung@ci.copperas-cove.tx.us	Y
Galiana, Michael	City of Copperas Cove	Fire Dept.	415 S. Main St	Copperas Cove	76522	mgaliana@ci.copperas-cove.tx.us	Y
Newbury, Jerry	State of Texas	DPS	5805 N. Lamar	Austin	78773	jerry.newbury@txdps.state.tx.us	Y
Marchant, Ed	State of Texas	DPS	5805 N. Lamar	Austin	78773	edward.merchant@txdps.state.tx.us	Y
Davis, Bill	City of Austin	Fire Dept.	PO Box 1088	Austin	78767	william.davis@ci.austin.tx.us	Y
Richards, Dan	Travis County	Sheriffs Office	PO Box 1748	Austin	78767	dan.richard@co.travis.tx.us	Y
Ward, Linda	Lee County	Sheriffs Office	PO Box 98	Giddings	78942	lward@bluebon.net	Y
McCune, Jim	City of Brenham	Police Dept.	210 N. Park	Brenham	77834	mccune@f12web.net	Y
Jacobs, Patrick	City of Brenham	Police Dept.	210 N. Park	Brenham	77834	ptjacobs@brenhampd.org	Y
Meadows, Clinton	City of Martindale	Police Dept.	PO Box 365	Martindale	78655		Y
Blare, Larry	City of Waco	Police Dept.	PO Box 2570	Waco	76702	larrybl@ci.waco.tx.us	Y
Coggins, Frank	City of Lockhart	Police Dept.	214 Bufkin Ln	Lockhart	78644	coggins@lockhart-tx.org	Y
Burton, John	City of Round Rock	Fire Dept.	203 Commerce Blvd	Round Rock	78664	jburton@round-rock.tx.us	Y
Leslie, Walt	Travis County	Fire Dept.	PO Box 1088	Austin	78767	walter.leslie@co.travis.tx.us	Y
Allen, Sam	City of Lockhart	Police Dept.	214 Bufkin Ln	Lockhart	78644	sallen@lockhart-tx.org	Y
Dalrymple, Dewayne	City of Lockhart	Police Dept.	214 Bufkin Ln	Lockhart	78644	ddalrymple@lockhart-tx.org	Y
Stewart, Becky	CAPCOG	Emergency Mgt.	6800 Burleson Rd	Austin	78744	bstewart@capco.state.tx.us	Y
Shelton, Brice	Motorola					brice.shelton@motorola.com	N
Gutierrez, Andres	City of Jonestown	Police Dept.	18649 FM 1431, 4-A	Jonestown	78645	andres_gutierrez@hotmail.com	Y
Thompson, Roger	City of Jonestown	Police Dept.	18649 FM 1431, 4-A	Jonestown	78645	rogthomps@aol.com	Y
Turner, Robert	City of Austin	EMS	PO Box 1088	Austin	78767	robert.turner@ci.austin.tx.us	Y
Yoder, Ken	APCO		2504 Piping Rock Tr	Austin	78748	kyoder3@austin.rr.com	N
Law, Daniel	Caldwell County	Sheriffs Office	1204 Reed Dr	Lockhart	78644	dlaw@caldwellcosheriff.com	Y
Gott, Rodney	Caldwell County	Sheriffs Office	1204 Reed Dr	Lockhart	78644		Y
Herndon, Richard	State of Texas	TxDOT	125 E 11th St	Austin	78701	rherndon@dot.state.tx.us	Y
Simpson, Mike	City of Austin	Police Dept.	1006 Smith Rd	Austin	78721	mike.simpson@ci.austin.tx.us	Y

**Region 49 (Central Texas) 700 MHZ  
Regional Planning Committee Membership**

<b>Name</b>	<b>Entity</b>	<b>Agency</b>	<b>Address</b>	<b>City</b>	<b>Zip</b>	<b>Email</b>	<b>Voting Member</b>
Worsham, Patrick	AUE					pat.worsham@alexutil.com	N
Cox, Lee	City of Mexia	Police Dept.	101 S McKinney	Mexia	76667	cpl_cox@glade.net	Y
Canaday, Wayne	McLennan County	Comms.	501 Washington Ave	Waco	76701	wayne.canaday@co.mclennan.tx.us	Y
Geltmeier, Wil	State of Texas	TxDOT	125 E 11th St	Austin	78701	wgeltme@hotmail.com	Y
Hobby, Danny	Travis County		PO Box 1088	Austin	78767	danny.hobby@co.travis.tx.us	Y
Covey, Craig	M/A-COM					coveyc@tycoelectronics.com	N
Slaughter, Aaron	City of Lockhart	Fire Dept.	201 W Market	Lockhart	78644	aslaughter@lockhart-tx.org	Y
Sawyer, Jim	Dailey Wells					jsawyer@dwcomm.com	N
Sweet, David	Dailey Wells					david@dwcomm.com	N
Blowers, Bill	Bell County	Comms.	708 West Ave O	Belton	76513	william.blowers@co.bell.tx.us	Y
Benton, James	State of Texas	DPS	5805 N. Lamar	Austin	78773	james.benton@txdps.state.tx.us	Y
Driscoll, Tim	RCC Consultants					tdriscoll@rcc.com	N
Paez, Gilbert	City of Austin	Comms.	PO Box 1088	Austin	78767	gilbert.paez@ci.austin.tx.us	Y
Ganner, Maureen	City of Round Rock		221 E Main	Round Rock	78664	mganner@round-rock.tx.us	Y
Ganner, Ray	Ganner Assoc					rganner@ganner.com	N
Ferguson, Harold	City of Waco	Fire Dept.	PO Box 2570	Waco	76702	haroldf@ci.waco.tx.us	Y
Rinehart, Bette	Motorola					c18923@email.mot.com	N
Cross, Dalton	Bell County	Comms.	708 West Ave O	Belton	76513	dalaton.cross@co.bell.tx.us	Y
Brotherton, Chuck	Travis County	Emergency Mgt.	PO Box 1088	Austin	78767	charles.brotherton@co.travis.tx.us	Y
Young, Ted	City of Marble Falls	Police Dept.	209 Main St	Marble Falls	78654	ted.young@ci.marble-falls.tx.us	Y
Graalum, Ken	City of Cedar Park	Comms.	911 Quest Pkwy	Cedar Park	78613	graalum@ci.cedar-park.tx.us	Y
Hollingsworth, Archie	Burnet County	Sheriffs Office	1601 E Polk	Burnet	78611	sergent106@burnetcountytexas.org	Y
Boyce, Charlie	Burnet County	Sheriffs Office	1601 E Polk	Burnet	78611	captain103@burnetcountytexas.org	Y
Keith, Larry	Leon County	Sheriffs Office	606 E St. Mary's St	Centerville	75833	leoncoso@cji.net	Y
Pletcher, Robert	State of Texas	DPS	5805 N. Lamar	Austin	78773	robert.pletcher@txdps.state.tx.us	Y
Sevier, Michael	BVCOG	Emergency Mgt.	PO Drawer 4128	Bryan	77802	msevier@bvcog.org	Y
Connor, Kyle	M/A-COM					connork@tycoelectronics.com	N
Lindemann, Elizabeth	City of Austin		1006 Smith Rd	Austin	78721	elizabeth.lindemann@ci.austin.tx.us	Y
Guerrero, Arletha	City of Austin	Comms.	1006 Smith Rd	Austin	78721	arletha.guerra@ci.austin.tx.us	Y
Clawson, David	City of Taylor		500 South Main	Taylor	76574	david.clawson@ci.taylor.tx.us	Y
Mooney, Rita	State of Texas	DPS	5805 N. Lamar	Austin	78773	rita.mooney@txdps.state.tx.us	Y
Cassard, Clay	Motorola					clay.cassard@motorola.com	N
Wynn, John	Austin Community College		5930 Middle Fiskville Rd	Austin	78752	jwynn@austincc.edu	Y
Wisener, Rosanna	City of San Marcos	Police Dept.	2300 S IH-35	San Marcos	78666	wisener_rosanna@ci.san-marcos.tx.us	Y
Minnick, Mark	City of San Marcos	Police Dept.	2300 S IH-35	San Marcos	78666	minnick_mark@ci.san-marcos.tx.us	Y
Swim, Larry	Fayette County		4141 Markwardt Rd	Round Top	78954	therauch@industryinet.com	Y
Knapp, Cristy	Llano County	EMS	200 W Ollie	Llano	78643	cknapp@llanomemorial.org	Y
Knapp, Greg	Llano County	EMS	200 W Ollie	Llano	78643	gknapp@llanomemorial.org	Y

**Region 49 (Central Texas) 700 MHZ  
Regional Planning Committee Membership**

<b>Name</b>	<b>Entity</b>	<b>Agency</b>	<b>Address</b>	<b>City</b>	<b>Zip</b>	<b>Email</b>	<b>Voting Member</b>
Martin, Ron	Motorola					ron.martin@motorola.com	N
Scheets, Peter	City of Bryan	Police Dept.	301 S. Texas Ave	Bryan	77803	scheetsp@bryantx.gov	Y
Gruetzner, Richard	Travis County	Sheriffs Office	PO Box 1748	Austin	78767	richard.gruetzner@co.travis.tx.us	Y
McLean, Jim	City of Pflugerville	Police Dept.	PO Box 679	Pflugerville	78691	jmclean@cityofpflugerville.com	Y
Smith, Rusty	City of Robinson	Police Dept.	111 W Lyndale	Robinson	76706	r.smith@robinsonpd.org	Y
Babin, Alain	City of Round Rock	Police Dept.	615 E Palm Valley Blvd	Round Rock	78664	ababin@round-rock.tx.us	Y
Fail, Zeta	City of College Station	Police Dept.	2611 Texas Ave. South	College Station	77840	zfail@cstx.gov	Y
Roper, Ben	City of College Station		2611 Texas Ave. South	College Station	77840	broper@cstx.gov	Y
Wright, Terry	City of Kyle/Hays Co.	Fire Dept.	210 W Moore St	Kyle	78640	twright@kylefire.com	Y