

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of

Improving Public Safety
Communications in the 800 MHz
Band

PS Docket 02-55

Continued Use of the Former 800
MHz NPSPAC Mutual Aid Channels
in the Canada/United States Border
Areas

DA 11-274

Reply to Comments

The National Regional Planning Council submits these Reply Comments to the Commission in support of the Region 55 National Public Safety Planning Advisory Committee (NPSPAC) 800 MHz Regional Planning Committee and their position on preserving interoperability in the 800 MHz band in the US - Canada Border Area within and between US and Canadian interests. While the 800 MHz re-banding process continues, 800 MHz regional planning committees across the nation have supported the Commission's goal process of removing disparate, interleaved operations and technologies from the 800 MHz band to remove potential interference and to ensure the viability of public safety communications and that they continue without impact. The National Regional Planning Council supports that goal.

We do not, however, support a position that contributes to the reduction of existing interoperable assets and functionality as a result of re-banding such as we see taking place between Region 55 agencies and Canadian public safety responders.

Region 55 users are currently adhering to the re-banding process in place and cooperating with the Commission and the Transition Administrator (TA) to ensure the proper migration to the new 800 MHz NPSPAC Band but the transition of the National Mutual Aid channels to the new 851-854 MHz band and migrating their existing systems they need to maintain operation on the old National 800 MHz Mutual Aid Channels until the transition is complete and possibly further into the future.

National Regional Planning Council

The National Regional planning Council (NRPC) is an advocacy body formed in 2007 that supports public safety communications spectrum management by Regional Planning Committees (RPC) in the 700 MHz and 800 MHz NPSPAC public safety spectrum as required by the Federal Communications Commission. We liaison with FCC certified frequency coordinators, licensees, applicants, vendors and our adjacent regions as well as the Commission on a regular basis to ensure our planning responsibilities and the goals of those we serve are met. These Regional Planning Committees are made up of public safety volunteer members that dedicate their time to coordinate spectrum efficiently and effectively for the purpose of making it available to public safety applicants in their region. The work these people do reflects their dedication to public safety communications and to ensuring local public safety agencies and user needs are heard and met in their regions and beyond. As a body that advocates the *voice* of regional planning committees and one that does not attempt to consolidate and centralize that voice into a single message, we encourage each region planning committee to voice their opinions and speak to the Commission's inquiries

as best they can with the intimate knowledge they have as to initiatives that are in place within their own regions. Subsequently, the NRPC does not in this proceeding speak for each individual regional planning committee but we are hopeful that each regional planning committee will respond in this proceeding to the Commission's inquiries on their own terms and with their own viewpoints. We encourage each region to do so.

The National Regional Planning Council (NRPC) has communicated with Region 55 leadership and their reasons for filing comments in this proceeding. We support their position on the following issues:

Region 55 feels that while 800 MHz re-banding was established to eliminate interference in the band, it was never intended to remove interoperable assets and resources from public safety first responders. Until another solution in 800 MHz is developed that will maintain the interoperable capabilities previously provided to Region 55 agencies and their Canadian counterparts by the National Mutual Aid Channels in the pre re-banded 800 MHz band plan, the mutual aid capabilities for first responders, within Region 55 and between Region 55 and Canadian users, must somehow be preserved. Region 55 is open to developing alternatives to utilizing the former mutual aid channels between 866-869 MHz but absent an alternative, existing mutual aid and interoperable capabilities will be lost without common channels utilized in the region and across the US/Canadian border. It must be acknowledged that Canada will not migrate its 800 MHz channels to the new US 800 MHz band plan and that Region 55 first responders in those areas need to have alternatives to communicate across the US Canada border.

We support Region 55's assertion that public safety operations between the two countries on both sides of the border need to be maintained and their willingness to make any necessary changes to retain that functionality.

The NRPC understands Sprint Nextel's desire to clear the 866-869 MHz band for their own operation but we feel that clearing must take into consideration the needs of the first responder community and the utilization of National Mutual Aid Channels between 866-869 MHz, absent any alternatives, are a substantial interoperable asset utilized by many 800 MHz users, both NPSPAC and non-NPSPAC users.

We concur with Region 55 that convening a meeting between the Transition Administrator, FCC, Sprint Nextel, Region 55 and other Regional Planners is in the best interest of all parties to ensure that the scope of the problem is brought before all involved parties. In addition, the National Regional Planning Council feels that maintaining cross border mutual aid communications in the 800 MHz band is so critical that it warrants a Notice of Proposed Rulemaking being established to ensure the voices of those impacted by this international border issue are heard. The NRPC stands ready to support Region 55 in such a dialogue and to ensure that the perspectives of spectrum managers in the border are considered.

Respectfully,

Stephen T. Devine, Chairperson

National Regional Planning Council

April 4, 2011