

Region 47
700 MHz Regional Planning Committee
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April 17, 2012

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: WAIVER-EXPEDITED ACTION REQUESTED in WTB Docket Number 02-378,
Region 47 700 MHz Regional Plan Request for Waiver of Concurrence Letter and Dispute Resolution
Agreement with Region 48 (US Virgin Island)

Dear Secretary:

Our final draft plan was send to Region 48 on September 22, 2011. I have been able to confirm that region's planning committee received our plan and request for review through an email acknowledgement. Since that time I have worked thoroughly to obtain both a letter of concurrence and a dispute resolution agreement from Region 48.

We have engaged in lengthy and diligent efforts to obtain all necessary documents from Region 48. Our efforts were supplemented by the efforts of Ms. Jeannie Benfaida, FCC Wireless Telecommunications Bureau.

Puerto Rico will include as part of the SCIP the 700 MHz radio systems with the 78 municipalities and state agencies. The Puerto Rico Communications Interoperability Committee (PRCIC) released a radio interoperability concept for PR in 2007 in which they recommend in part:

“The PRCIC is committed to its charge to promote efficient and effective use of resources for matters related to public safety wireless radio interoperability, standing ready to assist in the promotion of coordination and cooperation of a statewide interoperability goal.

“To that end, the PRCIC recommends that the Government of Puerto Rico and its municipalities begin immediate planning and implementation of a single Project 25 (P25) infrastructure to serve the communications needs of emergency responders. This network should include, but not be limited to the following:

- Leverage the PRCICs Microwave System investment
- Leverage the Puerto Rico Bureau of Homeland Security's Master Site investment

- Utilize all available spectrum including the newly available 700MHz
- Build upon the Puerto Rico Regional Network
- Incorporate the PREMA 700 MHz network

As you can see, there is great momentum building in Puerto Rico for the 700 MHz spectrum, and public safety will suffer without a plan in place. The delays being faced in Puerto Rico while waiting for Region 48 to complete the necessary concurrence and dispute resolution paperwork is becoming unduly burdensome, inequitable and contrary to the public interest.

We have performed our due diligence in attempting coordination as demonstrated below:

- August 19th – informed that a new US VI POC for Regional activity had been assigned. We contacted Mr. Angel Turnbull at this time and made our intentions known to him
- August 29th – Invited Mr. Turnbull of upcoming Region 47 meeting in September – Mr. Turnbull was not in attendance at the meeting
- September 2nd – Contacted Mrs. Benfaida and provided her with Angel Turnbull’s details in order to update the FCC’s 700 MHz contact page
- September 14th - Mrs. Benfaida emailed Mr. Turnbull congratulating him on his assignment and told him about the adjacent region coordination
- September 22nd – Emailed Angel Turnbull and informed him of the ratified Region 47 plan and provided him a copy as well as a sample letter of concurrence he could provide upon reading the documents.
- September 23rd – Mr. Turnbull replied via email stating “Okay, will look them over”. At that time Ali Shahnamy informed Ms. Benfaida of Angel Turnbull’s acknowledgement of receiving the ratified Region 47 plan.
- October 7th – Email follow up was sent to Mr. Turnbull – there was no response to this email
- October 31st – Email follow up once again sent to Mr. Turnbull – there was also no response to this email
- November 7th – Called Mr. Turnbull on his cell but our call was never returned

As a result, I am requesting that we be granted a waiver for the aforementioned documents in accordance with 47 CFR 1.925 (b) (3).

Sincerely,



Ferdinand Cedeño
Region 47, RPC Chairperson