PUBLIC SAFETY RADIO

COMMUNICATIONS PLAN

FOR 800 MHz

* REGION 32 *

THE STATE OF NORTH DAKOTA

Updated May 22, 2017

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1.0 SCOPE

1.1 Introduction

In December of 1983, the United States Congress directed the Federal Communications Commission (FCC) to establish a plan to ensure that the communications needs of state and local public safety authorities would be met. By their regular means of initiation, the FCC began the process of developing such a plan. Through their efforts, and the efforts of the National Public Safety Planning Advisory Committee (NPSPAC) the plan was begun.

The National Public Safety Planning Advisory Committee provided an opportunity for the public safety community and other interested members of the public to participate in an overall spectrum management approach by recommending policy guidelines, technical standards, and procedures to satisfy public safety needs for the foreseeable future. After consideration of NPSPAC's Final Report and comments filed in Docket No. 87-112, a Report and Order was released by the FCC in December 1987, which established a structure for the National Plan that consists of guidelines for the development of regional plans.

The National Plan provides guidelines for the development of regional plans. The particulars of this plan are found in FCC 87-359, which contains the required steps and contents for regional plan development. It is on this document that this plan is developed.

1.2 Purpose

Public safety communications has, for many years, been inadequate throughout the United States. This is as true for North Dakota as it is for any other state. Many, if not all, public safety radio users are constantly bombarded with outside interference, noise, and over crowding. It is with these problems in mind that this plan was developed.

This regional plan was developed with the objective of assuring all levels of public safety/public service agencies that radio communications in the near and distant future will not suffer from the problems of the past. The allocation of frequencies was done in as equitable a way as possible. The goal was to supply a pool of frequencies for each county and a pool for state agency use with adequate reserve allocations for future needs in all areas, and a method to appeal initial allocations based on need.

The National Plan, as developed by NPSPAC, was followed very closely in all considerations for frequency allocation, re-use, turn back, regional interoperability, spectrum requirements and adjacent region operations. This plan should provide the flexibility to accommodate the growth and changes which are bound to occur in public safety and public service communications operations long into the future.

2.0 AUTHORITY

2.1 Regional Planning Committee

The development of the Public-Safety Radio Communications Plan for Region 32, the State of North Dakota, has followed the requirements of the FCC's Report and Order as issued in the matter of General Docket 87-112.

In accordance with the FCC's Report and Order 87-112, the Associated Public-Safety Communications Officers Inc. (APCO) recommended to the Commission the appointment of a "Convener" for North Dakota Region 32. The convener served as the coordinator for the assembly and formation of the planning committee.

Participants in the formation of the Regional Planning Committee represent interested parties from both the Public Safety and Special Emergency Radio Services. A total of 28 individuals have participated in the development process. The list herein contains the names, organizational affiliations, mailing addresses and phone numbers of all participants in the Regional Planning Committee.

The committee was selected by attendance at the organizational meeting. Each member of the Committee representing an eligible licensee under the Public Safety Radio Services and the Special Emergency Radio Services was entitled to one vote in all Committee matters. Except as may be provided elsewhere in the Plan, the majority of those present at a scheduled meeting constituted a majority for all business. The final approval of the plan prior to submission to the FCC required a vote by all in attendance at our regular meeting. In this case the vote was conducted by those who had participated in the planning process. This way, the finished plan was reviewed and accepted by the widest, within reason, group of public safety/public service users.

A revision of the RPC in North Dakota was done in November 2007 when a State Interoperability Executive Committee (SIEC) was created to oversee interoperability channels. The Regional Planning Committee will be known as the 700/800 MHz Advisory Committee and serve under the SIEC.

2.2 Planning Committee Formation

The process of forming the Planning committee was conducted in the following steps:

1. Presentations concerning the requirements for a regional planning committee were presented and discussed at state organization meetings. At each presentation there was an opportunity for persons to place themselves and/or their agency on the mailing list.

2. Letters of announcement were mailed to each major state agency radio users, those placed on the mailing list, as well as to state organizations composed of local government level public safety/public service users. Letters were also sent to all members of the North Dakota Chapter of APCO.

3. Public notices were placed in 5 newspapers with state wide distribution, for the first organizational committee meeting. This first meeting was held at the Heritage Center Auditorium, a public facility. (See Appendix B)

4. One organizational meeting was held before the chairperson was elected.

5. Committee membership was left open to any person or agency which may not have been notified or decided to join the committee later.

6. Vendors participation was encouraged, but vendors were not allowed a vote.

2.3 National Interrelationships

The Regional Plan is in conformity with the National Plan. If there is a conflict between the two plans, the National Plan will govern. It is expected that Regional Plans for other areas of the country may differ from this plan due to the broad differences in circumstance, geography, and population density. By officially sanctioning this plan the Federal Communications Commission agrees to its conformity to the National Plan. Nothing in the Plan is to interfere with the proper functions and duties of the organizations appointed by the FCC for frequency coordination in the Private Land Mobile Radio Services, but rather it provides procedures that are the consensus of the Public Safety Radio Services and Special Emergency Radio Service user agencies in this Region. If there is a perceived conflict then the judgment of the FCC will prevail.

2.4 Federal Interoperability

Interoperability between the Federal, State and Local Governments during both daily and disaster operations will primarily take place on the five common channels identified in the National Plan. Additionally, through the use of S-160 or equivalent agreements, a licensee may permit Federal use of a non-Federal communications system. Such use, on other than the five identified common channels, is to be in full compliance with FCC requirements for government use of non-government frequencies (Title 47 CFR,-sec 2.103). It is permissible for a non-Federal government licensee to increase channel requirements to account for 2-10 percent increase in mobile units, dependent on the amount of Federal Government Agencies involvement in its area, provided that written documentation from Federal agencies supports at least that number of increased units.

2.5 Regional Review Committee

Upon approval of this Plan by the Federal Communications Commission, a Region Review Committee will be established for the review of applications which do not fall within the stated guidelines provided for in this plan, or for the settlement of disputes concerning this plan and/or its application.

This committee shall consist of the Local APCO Frequency Advisor for this region, one representative from the Police, Fire, EMS services, DEM Services, and a minimum representation from other eligibles is also welcome. This committee and its composition will be assured by the North Dakota APCO chapter and other Public Safety organizations. Membership on this committee will be solicited on an annual basis. Since this committee will probably not have regular business, it will be up to the Local APCO Frequency Advisor to notify the committee of problems, conflicts, or when it becomes apparent that spectrum demands will outpace available spectrum. Each member of the committee shall be furnished a copy of this plan upon their appointment or election to the committee.

Plan updates shall be accomplished by this committee. All changes or updates to the plan shall be first agreed upon by this committee and then submitted to the FCC for their review and consideration. When approved all changes shall be added to the plan with the appropriate documentation of approval.

This committee shall meet at least once annually to review the implementation of the plan. This review shall consist of examination of any and all license activity.

3.0 SPECTRUM UTILIZATION

This portion of the Plan provides a basis for proper spectrum utilization. Its purpose is to guide the Local APCO Frequency Advisor and/or the Regional Review Committee in their task of evaluating the implementation of this plan within this Region.

3.1 Region Defined

Region 32 is the State of North Dakota. This region is the result of definition by the Federal Communications Commission as a result of recommendations made in the National Public Safety Planning Advisory Committee (NPSPAC) plan as submitted and approved and contained in Docket 87-112. For purposes of this plan the State of North Dakota shall be defined as all the lands and waters contained within the boundaries of the State of North Dakota.

3.2 Region Profile (Demographic Information)

The purpose of this section is to provide the basis for the assignment of frequencies, and their re-use. Since the frequency allocation formula used is based on population within a county, it is necessary to provide this information within this plan. Below is the data used in the determination of frequency allocations.

3.2.1 State of North Dakota Population and Expected Growth Percentage. (See Appendix D)

The population of the state of North Dakota is 672,591 (2010 census), with approximately 402,872 living in urbanized centers and 269,719 living in rural areas. Population density is approximately 9.7 persons per square mile. Total population increased 4.73% from 2000 to 2010.

3.2.2 Geographical Description

There are 53 counties in the state with a total land mass of 70,350 square miles. The largest county is McKenzie, with a total of 2,827 square miles.

As shown, the population of the state is 672,591 distributed across the land area contained in the state. This presents some problems in area coverage for radio systems in that the entire land area of any given jurisdiction must be covered. The population per square mile is somewhat sparse which generally indicates that the concentration of radio users for public safety activities is also sparse. All of these items were taken under consideration in the allocation plan.

3.3 Usage Guidelines

All systems operating within the Region having five or more channels will be required to be trunked. Those systems having four or less channels may be conventional or trunked.

The FCC, in its Report and Order states, “Exceptions will be permitted only when a substantial showing is made that alternative technology would be at least as efficient as trunking or that trunking would not meet operational

requirements. Exceptions will not be granted routinely, however, and strong evidence showing why trunking is unacceptable must be presented in support of any request for exception."

Systems of four or less channels operating in the conventional mode who do not meet FCC loading standards will be required to share the frequency on a non-exclusive basis.

Public Safety communications at the state level, as it impacts the Region, will be reviewed by the Committee. State-wide public safety agencies will submit their communications plans for impact approval if they utilize communications systems within the Region and those portions of such systems must be compatible with the Regional Plan.

The next level of communication coverage will be a county/multiple municipality area. Those systems that are designed to provide area communication coverage must demonstrate their need to require such wide area coverage.

This would apply in a situation such as a city requesting coverage of an entire county. Communication coverage beyond the bounds of a jurisdictional area of concern cannot be tolerated unless it is critical to the protection of life and property. If the 800 MHz trunked radio technology is utilized, the system design must include as many county/multiple municipality government public safety and public service radio users as can be managed technically.

The county/multiple municipality agency(ies), depending upon systems loading and the need for multiple systems within an area, must provide intercommunications between area-wide systems. In a multi-agency environment, a lead agency using the 800 MHz spectrum, which is an agency or organization having primary response obligations in the geographic area, shall be responsible for coordinating the implementation the Common Channels in this band as mandated by the national Plan. Such implementation must be reviewed and approved by the local APCO Frequency Advisor, and at his/her discretion, the Regional Review Committee.

Municipal terminology often differs. In order to provide a title for the next level of communications the term City is used to define the level below county-wide. City communications for public safety and public services purposes must provide only the communications needed within its boundaries. However, if the total number of radios in service does not reach minimum loading criteria for a trunked system, that must consider utilizing the next higher system level if 800 MHz trunked radio is available in the area. As those higher level systems reach capacity, the smaller system communicators in public safety and public service must then consider uniting their communications efforts to formulate one large system or forfeit use of the limited 800 MHz spectrum.

Where smaller conventional 800 MHz needs are requested, those frequencies to be utilized must not interfere with the region's trunked systems. The 800 MHz trunked radio system is to be considered the higher technology at this time and in greater compliance with FCC guidelines. The amount of interference that can be tolerated depends on the service affected. Personal life and property protection shall receive the highest priority and disruptive interference with communications involved in these services an area shall not be tolerated. Any co-channel interference within an authorized area of coverage will be examined on a case by case basis by the Regional Review Committee.

3.4 Technical Design Requirements For Licensing

3.4.1 Definition of Coverage Area or Area of Jurisdiction

The coverage area shall be that area for which a system is intended to cover with a received signal strength of greater than 40 dBu. This area shall normally represent the boundaries of the County or the incorporated municipality which is applying for license. In the case of regional or area-wide, multi-jurisdictional systems, the coverage shall be that area of all jurisdictions participating in the system combined.

3.4.2 System Coverage Limitations

System coverage shall be limited to the coverage area defined as listed above plus no more than five (5) additional miles in all directions extending from said boundaries of definition. This limitation shall assure maximum frequency reuse. The only exception to this rule shall be those applicants wishing to offer service or system use to areas outside of their jurisdictional boundaries. In these situations the applicant shall provide a proposal of said service to the Local APCO Frequency Advisor, who may request Regional Review Committee consideration, for approval.

Systems not located within the geographical center of the jurisdictions(s) for which they cover shall utilize either directional antennas or antenna/tower relationship techniques to achieve the coverage required by this plan.

3.4.3 Determination of Coverage

There are four variables used in determining the area of coverage of a proposed system. These variables are (1) the required strength of the received signal, (2) antenna height above average terrain (HAAT), (3) the effective radiated power (ERP) of the system, and (4) the type of environment.

Received Signal Strength:
For purposes of this plan, received signal strength shall be the determining factor which defines the actual boundary of a system. The minimum signal level which marks the outer boundary of a system shall be 40 dBu.

Antenna Height:
Shall be the height of the antenna above the average terrain surrounding the tower site.

Effective Radiated Power (ERP):
The ERP is the transmitter output power times the net gain of the antenna system. The actual formula is: ERP (w) equals Power (w) times Antilog (net gain in dB divided by 10).

Environment Type:
OKUMURA/HATA METHOD – The Okumura method uses four different classifications to describe the average terrain around a transmitter site or area. The classifications are:

1-URBAN; Which is built-up city-crowded with large buildings or closely interspersed with houses and thickly-grown trees. This would include the downtown area of a major city.

2-SUBURBAN; Which is a city of highway scattered with trees, houses and buildings. This would include the downtown area of a large city.

3-QUASI-OPEN; Is an area between suburban and open areas. This includes areas outside of city limits that have few buildings and houses.

4-OPEN; Is an area where there are no obstacles such as tall trees or buildings in the propagation path or a plot of land which is cleared of anything for 300 to 400 meters ahead. This would include farm land, open fields, etc.

3.4.4 Annexations and Other Expansions

It is well known that as cities grow, annexations occur. When an expansion of the present city limits of any city currently using an 800 megahertz system within the spectrum as herein specified occurs, it is understood that the existing system may have to be expanded and its range increased. This is a modification and may be permitted. The increased range of the system will have to be determined at the time of modification to assure non-interference with any other existing system. Where interference is likely, the use of alternate methods of expansion, such as satellite systems, may be necessary.

Should the annexation or expansion of a city effectively take in all or most of a county, the allocation for that county may be given to the city if required by said city and not in use or planned to be used by the county. Where more spectrum is not available from the initial allocation, the rules for expansion of initial allocation, as contained in this plan, shall apply.

3.4.5 Coverage Area Description

All applicants shall provide with their applications a map showing the jurisdictional boundaries to be covered by the system, and the calculated system coverage. This map shall display the location of the system transmitter(s), including control stations. It is recommended that a U.S. Geological Survey (USGS) Quad Topographical map be used for this purpose. If not available, a high quality locally produced map or a highway map may be substituted. Regardless of the type map used, the name of the applicant and the scale of the map shall be displayed on the map.

The following table lists the field strength in dBu/KW versus distance and antenna height for the suburban environment. The adjustment factors for the other environments relative to the suburban environment are: Urban = Suburban – 9.7 dB, Quasi-open = Suburban + 9.2 dB, Open = Suburban + 18.4 dB

3.4.6 Give Back Frequencies

All agencies participating in the use of the new 800 megahertz spectrum shall prepare and submit a plan for the abandonment of their currently licensed frequencies in the lower bands. These released frequencies shall be available for reassignment to those agencies not migrating to 800 MHz at this time.

These released frequencies shall be returned to the radio service from which it was assigned. These frequencies shall then be available for reassignment by the assignment/coordination criteria in effect for that particular service by the regular FCC authorized coordinator for that service.

Frequencies which are to be abandoned by an agency shall not be handed down to another agency within the respective jurisdiction. Though this may seem a convenient method to re-use existing radio equipment, the reassignment must be handled through the normal process. It is recommended that any jurisdiction wishing to "hand down" frequencies to another agency submit the proper coordination and application forms with the document of release. This will put the applicant in a better posture for reassignment of the frequency in

question. It should be noted that even though this procedure is followed, there is no guarantee that a particular frequency will be assigned to the returning jurisdiction.

The time frame allowed for phasing into 800 MHz and out of the lower currently licensed bands will be considered on a case by case basis by the review committee. Generally, one year will be considered acceptable in most cases, with two years as a maximum. Any agency requiring more than two years shall provide documents stating the reasons for the delay, and give the estimated time of completion.

3.4.7 Unused Spectrum

Due to the fact that all of the frequency spectrum is not needed at this time, the excess channel pairs will be returned to a reserve pool. These channels may be used for conflict with adjacent Region allocations or may simply remain within this Region until needed. This does not imply that these frequencies are unavailable, only that before they can be utilized within the Region they must be coordinated via the regular APCO coordination process and within the guidelines set forth in this plan. Where possible, the channels designated for a jurisdiction in this plan shall be used.

3.4.8 Adjacent Region Considerations

Coordination with adjacent regions shall be an on-going process until all region plans have been finalized. At present, all adjacent regions have been coordinated with and no conflicts have been identified. The adjacent regions with which coordination has been conducted are: Montana (Region 25); Minnesota (Region 22); South Dakota (Region 38); and Wyoming (Region 46). (SEE ATTACHED LETTERS APPENDIX C)

As the use of the five National channels is not considered a day-to-day function, the "hard" coordination for the use of these channels is not considered to be necessary or advisable. The use of these channels will always be on a non-interference basis, with on-the-air coordination at the time of use when required. Any user found to be operating in any manner other than this shall be considered to be operating improperly and subject to the existing Federal Communications Commission rules for willful interference with the communications of other users.

3.5 Initial Spectrum Allocation

3.5.1 Frequency Sorting Methodology

The initial spectrum allocation for the Region was determined by a computerized frequency sorting process performed by APCO. The purpose of the computer program which assigns frequencies to specific eligibles and to pools for future assignment is two-fold:

A) The assignments must result in a high degree of spectrum efficiency, and
B) The assignments must result in a low probability of co-channel and adjacent channel interference.

Since the desired output is a geographic sorting of frequencies, a method of defining geography must be part of the input. A list of the number of channels to be assigned in each geographic area is also required, along with the name of the eligible or pool. Acceptable interference probabilities are determined for the Region. Frequency assignments are then made using a computer program which satisfies the goals of spectrum

efficiency and interference protection. The following narrative describes the factors and process used by the computer program.

3.5.2 Geographic Area

For the purpose of this frequency sort, a geographic area is defined as one or more circles of equal radius. To the degree practical, the circle(s) should include the entire area of the eligible's geopolitical boundary, but not exceed the boundary by more than three (3) miles. Thus, the procedure is to gather maps of sufficient detail, outline the areas to be defined, determine the coordinates and radius of the circles which define each area, and tabulate the data.

3.5.3 Blocked Channels

In the Region there are five mutual aid channels which must be blocked out to prevent the computer from making assignments on these channels. (Since the mutual aid channels are spaced at 0.5 MHz intervals, other Region-wide systems are spaced at 0.5 MHz and placed adjacent to the mutual aid channels. This procedure reduces the impact of blocked adjacent channels by virtue of the fact that the channel plan already has protection spacing on each side of the mutual aid channels.)

These Region-wide blocked channels are identified by FCC channel number, tabulated
and they become input to the computer program.

3.5.4 Transmitter Combining

The computer program is designed to provide a minimum frequency separation between any two channels assigned to the same eligible at the same site. This separation is provided in order to enable more efficient combining of multiple transmitters to a single antenna. These separated blocks of frequencies also have a maximum size. That is, if the eligible has more frequencies than the maximum size of the combining block, then a second compatible block is created, and so on. Each of these parameters is adjustable in the program on a global basis. The default parameters chosen are 0.25 MHz minimum spacing and five channel blocks.

3.5.5 Special Considerations

There are licensees in the 806-821/852-866 MHz spectrum who plan to expand existing systems into the 821-824/866-869 MHz bands. Some of the existing radio units are unable to operate on 12.5 KHz separated carrier frequencies. The result is that these radios can only operate on "even" FCC numbered channels in the 821-824/866-869 MHz band. The computer program is able to take this into account when making assignments.

3.5.6 Protection Ratios

There are two interference protection ratios built into the computer program. One is for the co-channel case, the other is for the adjacent channel case. The ratios provide 35 dB Desired/Undesired signal ratio for co-channel assignments, and 15 dB Desired/Undesired ratio for the adjacent channel case. These ratios provide an acceptable probability of interference for Public Safety Services.

4.0 COMMUNICATIONS REQUIREMENTS

4.1 Common Channel Implementation

The implementation of the 800 MHz National Mutual Aid Channels must follow the guidelines as set forth by the Federal Communications Commission by the approval of the National Plan. These five common channels are accessible by all levels of government and shall be used in accordance with the provisions of the National Plan. All mobile and portable equipment must be equipped to operate in the "talk around mode" when required on the 800 MHz National Mutual Aid Channels.

The 800 MHz National Mutual Aid calling channel 8CALL90 (806/851.0125 MHz) shall be implemented as a full mobile relay. Wide area coverage transmitters will be installed where applicable within a system. Large system users (5 channels or more) of 800 MHz shall be required to monitor this channel at all times. The area of coverage for this channel shall be equal to the area covered by the licensed system. This may or may not require the use of satellite receivers within the area to meet this requirement.

The four 800 MHz National Mutual Aid Tactical (8TAC) Channels will be assigned State-wide, for use as needed by all eligible licensees. These channels are to be used in accordance with the National Plan and in compliance with the regulations as set forth by the Federal Communications Commission. These channels require no special licensing, only that the users be eligible for licensing on the other Public Safety 800 MHz channels as specified in section 90.616 (a) of the FCC Rules and Regulations.

4.1.1 Areas of Operation

The common channels shall be available for use throughout the Region. No specific assignments were deemed necessary within the Region.

4.1.2 Operation on the Common Channels

Normally, the five interoperable channels are to be used only for activities requiring inter-communications between agencies not sharing any other compatible communications system. Interoperable channels are not to be used by any level agency for routine, daily operations. In major emergency situations, one or more 8CALL90/8TAC channels may be assigned by the primary Public Safety Agency within that area of operation. The primary Public Safety agency in each county, if not defined elsewhere in the plan, shall be the County Sheriff's Department or Public Safety Department or the lead agency, which may be any agency licensed to operate in this spectrum, or "on-scene" commander. The primary Public Safety agency shall be the city level Public Safety Department in situations which occur within the corporate limits of said city. These primary agencies will assign one or more of the 8TAC channels for use according to need during each special situation requiring the use of these channels.

Participants in the interoperable channels include Federal, State, and Local Disaster Management agencies. Police, Fire, and providers of Basic and Advanced Life support services will be the primary using agencies. If radio channels are available, other services provided in the Public Safety Radio Services and the Special Emergency Radio Services may also participate to the extent required to insure the safety of the public. These agencies include the Highway Department, Motor Vehicle Comptroller, Forestry, Wildlife and other special service agencies not normally involved in day-to-day public safety operations.

4.1.3 Operation Procedures

On all Common Channels, plain English will be used at all times, and the use of unfamiliar terms, phrases, or codes will not be allowed.

4.1.3(I) 800 MHz National Mutual Aid Calling Channel (8CALL90):

The 8CALL90 channel shall be used to establish contact with other users in a particular Region that can render assistance at an incident. This channel shall not be utilized as an ongoing working channel. Once contact has been established between agencies, an agreed upon 8TAC or mutual aid channel shall be used for continued communications.

4.1.3(II) 800 MHz National Mutual Aid Tactical (8TACA91-8TAC94):

These frequencies are reserved for use by those agencies involved in inter-agency communications. Incidents requiring multi-agency participation will utilize these frequencies as directed by the control agency assuming responsibility for an incident or area of concern. These frequencies may be subdivided according to function in an incident or by geographical location in response to an incident. 800 MHz National Mutual Aid channels are recommended for all public safety radios operating in the 800 MHz band.

8TAC91
8TAC92
8TAC93
8TAC94

4.1.4 Coded Squelch

All equipment capable of operating on the five (5) common channels shall be equipped with the National Common Tone Squelch of 156.7 Hz. Mobile relays on these channels, if authorized, may use additional tone or digital squelch codes for the purpose of selecting individual mobile relay stations, provided the National Common Tone Squelch Code is used on the output. If such an arrangement is utilized, provision must also be made for certain centralized, high level sites to be activated by the 156.7 tone to ensure emergency access by transient units.

4.2 Network Operating Methods

Communications systems on 8TAC91 thru 8TAC94 will be implemented by agencies who volunteer on a distributed coordinated basis. Every primary geographic section of the Region is intended to be covered by at least one of the 8TAC channels. In many areas the common channels will be utilized on a mobile to mobile talk-around basis. Mobile relays on 8TAC91 thru 8TAC94 will be on a limited coverage design to permit reuse of the channel several times within the Region and in adjacent regions. Since Region 32 will probably not have a large number of stationary 8TAC Channel stations, the implementation of mobile relay or repeaters is strongly encouraged. This will fill an “on-scene’ requirement for most multi-agency response situations. Adjacent region coordination will be via existing mutual aid coordination procedures with the requesting region establishing the tactical frequency assignment.

4.3 Requirements for Trunking

All systems operating in the Region having five or more channels will be required to be trunked. Those systems having four or less channels may be conventional. It is strongly suggested that any entity licensing three or more repeaters use trunking.

The FCC in its Report and Order states: "Exceptions will be permitted only when a substantial showing is made that alternative technology would be at least as efficient as trunking or that trunking would not meet operational requirements. Exceptions will not be granted routinely. Strong showings as to why trunking is unacceptable must be presented in support of any request for exception."

Systems that do not meet FCC loading standards can be required to share such frequencies on a non-exclusive basis. Those agencies requesting Data channels only can be required to share channels with adjacent agencies wherever feasible or limit coverage to their geographic area. Exceptions will be considered on a case-by-case basis by the Regional Review Committee.

Depending on systems loading and the need for multiple systems within an area, operators of wide area systems (including, but not limited to, designated "Monitoring Agencies") must provide for coordination between area-wide systems and "Monitoring Agencies". Single municipalities or agencies must restrict design and implementation of their systems(s) to provide only the communications needed within its geopolitical boundaries. The use of trunked systems is encouraged. However, if the total number of radios in service does not reach minimum loading criteria for a trunked system, that user must consider utilizing the next higher system level if 800 MHz trunked radio is available in the area. As systems reach capacity, the smaller system users must consider consolidating their communications systems to formulate one large trunked system.

A requesting applicant for radio communications in the 800 MHz public safety services in the Region will be required to conform to the FCC loading criteria for its proposed system. The provisions of this regional plan must be used as a guide for establishing any new systems. Strict adherence for limiting the area of coverage to the boundaries of the applicant agency's jurisdiction must be observed. Overlap or extended coverage must be minimized, even where systems utilizing 800 MHz trunked radio systems are proposing to intermix systems for cooperative and/or mutual aid purposes.

Antenna heights are to be limited to provide only the necessary coverage for a system. When antenna locations are restricted to only the "high-ground", transmitter outputs and special antenna patterns must be employed to produce only the necessary coverage with the proper amount of ERP. All necessary precautions are to be taken to gain maximum reuse of the limited 800 MHz spectrum.

4.4 Channel Loading Requirements

An agency/jurisdiction requesting a single frequency to replace a frequency currently in use that will be turned back for reassignment will not be required to meet loading requirements in order to obtain the new frequency. However, if the single frequency is not loaded to more than 50 units within three years after the license is granted, the frequency will be available for assignment to other agencies on a shared basis in the event that other frequencies meeting the criteria for assignment are exhausted. Shared use of a frequency is not interference free. Users of single frequency systems may be required to provide the Regional Review Committee "confirmation of loading" for mobiles and portables as a method of validating system loading. This exception shall apply to agencies having only one system and a single frequency. Agencies/jurisdictions

requesting multiple frequencies or employing trunking technology shall comply with the loading standards as outlined below or provide a "Traffic Loading Study" that meets the criteria as outlined below.

4.4.1 Loading Tables

EMERGENCY		**NON-EMERGENCY**	
CHANNELS	UNITS/CHANNEL	CHANNELS	UNITS/CHANNEL
1 – 5	70	1 – 5	80
6 – 10	75	6 – 10	90
11 – 15	80	11 – 15	105
16 – 20	85	16 – 20	120

Agencies requesting additional frequencies must show loading of 100 percent or greater on their existing system. Should a demand for frequencies exist after assignable frequencies become exhausted, any system having frequencies assigned under this plan four or more years previously and not loaded to at least 70 percent will lose operating authority on a sufficient number of frequencies to bring the system into compliance with the 70 percent loading standard. Frequencies lost in this manner will be reallocated to other agencies to help satisfy the demand for additional frequencies.

4.4.2 Traffic Loading Study

Justification for adding frequencies, or retaining existing frequencies, can be provided by a traffic loading study in lieu of loading by number of transmitters per channel. It will be the responsibility of the requesting agency to provide a verifiable study showing sufficient air time usage to merit additional frequencies. A showing of air time usage, excluding telephone interconnect air time, during the peak busy hour greater than 70 percent per channel on three consecutive days will be required to satisfy loading criteria.

4.4.3 Slow Growth

All systems in the 821-824/866-869 MHz bands under this plan will be slow growth in accordance with Section 90.629 of the Commission's rules.

4.5 Use of Long Range Communications

During incidents of major proportions, where Public Safety requirements might include the need for long-range communications in and out of a disaster area, alternate radio communications plans are to be addressed by Primary Public Safety agencies within this sub-region. These agencies should integrate the appropriate interface to the long distance communications providers. Such long distance radio communications might be amateur radio operations, satellite communications and/or long range emergency preparedness communications systems, any of or all of which should be incorporated as part of the communications plans of those lead agencies. They then could provide the means to communicate outside the area for themselves and the smaller

agencies who might need assistance. Instances as addressed in the National Public Safety Planning Advisory Committee's Plan, such as earthquakes, hurricanes, floods, widespread forest fires, or nuclear reactor problems could be a cause for such long-range communications needs.

4.6 Expansion of Existing Systems

Existing systems that are to be expanded to include the frequency bands of 821-824/866-869 MHz will have the mobile radios "grandfathered", provided that they are modified in conformance with the Memorandum Opinion and Order, FCC Docket 87-112. Primarily this involves reducing the modulation to +/- 4 KHz. Existing base stations in the frequency bands 806-821/851-866 MHz may not be used in the frequency bands 821-824/866-869 MHz.

5.0 IMPLEMENTATION AND PROCEDURES

5.1 Notification

Several methods of notification were used to invite interested parties to participate in the development of this plan. Initially, personal contact was made by the "convenor" to all of the major State agency communications users in the State of North Dakota. Announcements were made at various group meetings such as the North Dakota Peace Officers Association, and letters were sent to all public safety agencies in the State of North Dakota.

Supplemental to the personal contact, advertisements were placed in State-wide newspapers several weeks prior to the initial meeting. Several announcements were printed on the North Dakota Crime Information Teletype network. All APCO Chapter members and a large number of other interested parties who had requested notification were sent letters of invitation. (SEE APPENDIX B)

During the initial meeting, names, addresses and telephone numbers of those individuals present who wished to either participate in the planning process, or who wanted to be kept informed on the progress of the planning effort were taken. These individuals or agencies were sent all announcements for meetings and bulletins of progress.

When the work on the plan was completed, a final planning committee meeting was called. This meeting was held at the State Radio EOC Conference Room, Bismarck North Dakota, on December 15, 1992. Each member of the planning committee had been sent a draft copy of the plan for review prior to this meeting. A vote on the final draft was taken at this meeting. As with the formation of the committee, a public notice was placed in five newspapers announcing the completion of the plan and the intention to file with the Federal Communications Commission.

This same announcement was also run over the North Dakota Computer Network.

5.2 Frequency Allocation Process

The method used for "packing" Region 32 was the APCO computerized method. The approximate geographical location for the center of each county, in latitude and longitude, were provided along with the environmental type of the county and the approximate radius to cover the county lines. Along with this

information, a list of frequencies to block along the adjacent region's border was included. The actual assignment of frequencies is for four (4) channel-pairs per county.

This allocation is the minimum and only applies to counties with a population of 10,000 or less. One additional channel is allocated for each additional 10, 000 of population. The state of North Dakota has reserved 70 channels State-wide. This leaves a reserve pool of channels for future assignment.

5.3 Frequency Allocation

Below is the data, or packing plan generated by APCO via the computerized packing program. The first section is county by county information provided, followed by the packing plan. The plan took adjacent regions into consideration, in addition, letters of concurrence were sent.

CHANNEL ASSIGNMENTS

REGION 32 NPSPAC Allocations

Approved by the FCC on June 24, 2009

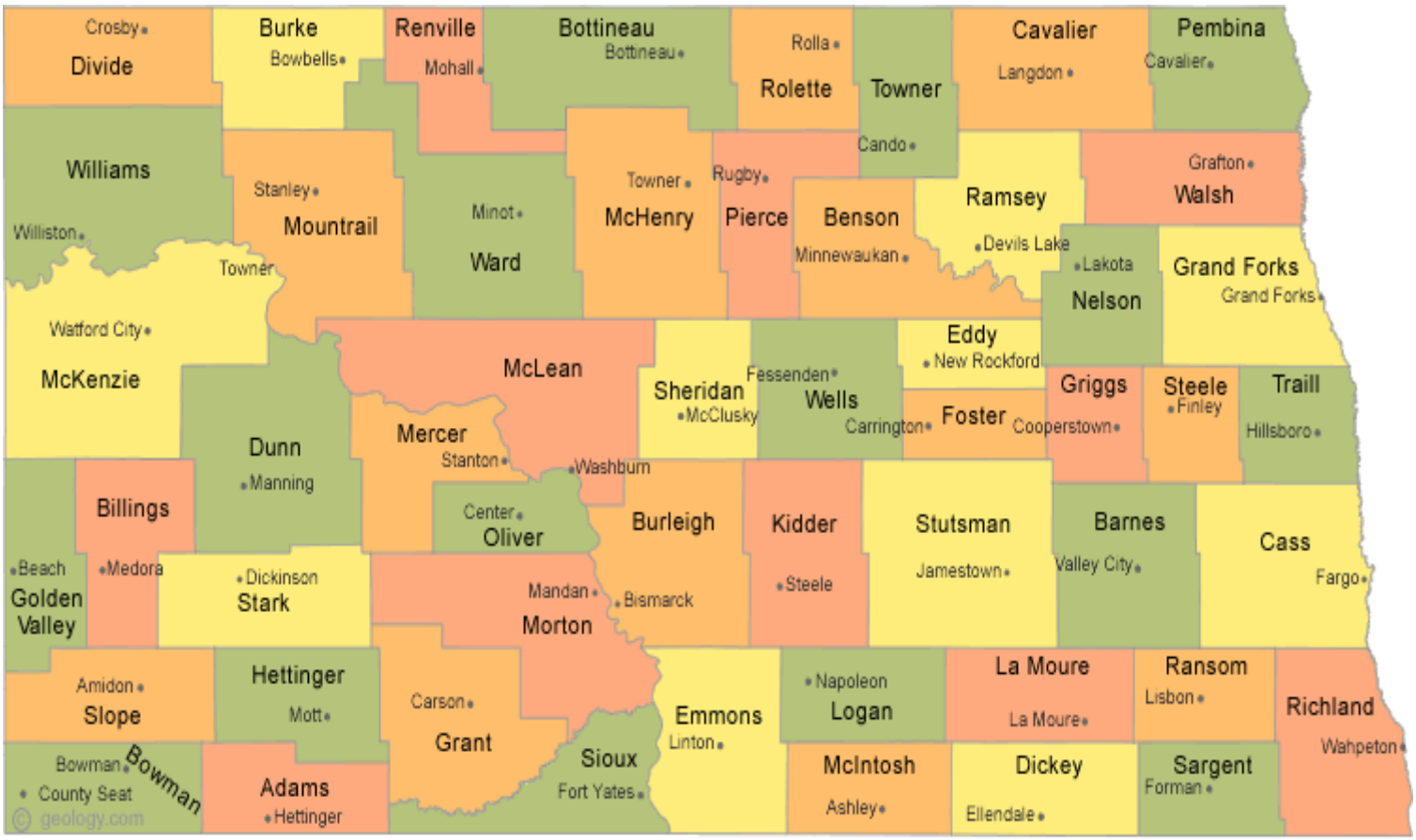
Channel	Base Freq	Base Freq	Mobile Freq	Mobile Freq	Counties Allocated
	OLD	**NEW**	**OLD**	**NEW**	**(NOTE: no licenses issued in South Dakota)**
602	866.0375	851.0375	821.0375	806.0375	Foster, Mercer, Ransom, Emmons, Adams
603	866.0500	851.0500	821.0500	806.0500	Steele. Oliver
604	866.0625	851.0625	821.0625	806.0625	McIntosh, Hettinger
605	866.0750	851.0750	821.0750	806.0750	Oliver
606	866.0875	851.0875	821.0875	806.0875	Stutsman
607	866.1000	851.1000	821.1000	806.1000	Stark
608	866.1125	851.1125	821.1125	806.1125	Stutsman
609	866.1250	851.1250	821.1250	806.1250	Billings, Morton
610	866.1375	851.1375	821.1375	806.1375	Cass
611	866.1500	851.1500	821.1500	806.1500	Burleigh, Barnes
622	866.2875	851.2875	821.2875	806.2875	Foster, Mercer, Emmons, Adams
623	866.3000	851.3000	821.3000	806.3000	Steele. Oliver, Sargent
624	866.3125	851.3125	821.3125	806.3125	McIntosh, Hettinger
626	866.3375	851.3375	821.3375	806.3375	Stutsman
627	866.3500	851.3500	821.3500	806.3500	Stark, Traill
628	866.3625	851.3625	821.3625	806.3625	Stutsman
629	866.3750	851.3750	821.3750	806.3750	Billings, Morton
630	866.3875	851.3875	821.3875	806.3875	Cass
631	866.4000	851.4000	821.4000	806.4000	Burleigh
640	866.5375	851.5375	821.5375	806.5375	Kidder, Bowman. McKenzie
641	866.5500	851.5500	821.5500	806.5500	Mercer, Griggs. Dickey. Sioux
642	866.5625	851.5625	821.5625	806.5625	Kidder, McKenzie
644	866.5875	851.5875	821.5875	806.5875	Stutsman, Stark

645	866.6000	851.6000	821.6000	806.6000	Sheridan
646	866.6125	851.6125	821.6125	806.6125	Ransom, Stark
647	866.6250	851.6250	821.6250	806.6250	Foster
648	866.6375	851.6375	821.6375	806.6375	Billings, Morton, Cass
649	866.6500	851.6500	821.6500	806.6500	Burleigh
660	866.7875	851.7875	821.7875	806.7875	Steele, Sargent, Kidder, Bowman, McKenzie
661	866.8000	851.8000	821.8000	806.8000	Sioux
662	866.8125	851.8125	821.8125	806.8125	Oliver, Stutsman, Slope
663	866.8250	851.8250	821.8250	806.8250	Richland
664	866.8375	851.8375	821.8375	806.8375	Stutsman, Stark
665	866.8500	851.8500	821.8500	806.8500	Traill, Sheridan
666	866.8625	851.8625	821.8625	806.8625	Golden Valley, LaMoure, Grant
668	866.8875	851.8875	821.8875	806.8875	Billings, Morton, Burleigh, Barnes, Logan, Dunn
670	866.9125	851.9125	821.9125	806.9125	Burleigh
678	867.0375	852.0375	822.0375	807.0375	Steele, Sargent, Kidder, Bowman, McKenzie
679	867.0500	852.0500	822.0500	807.0500	Sioux
680	867.0625	852.0625	822.0625	807.0625	Oliver, Stutsman, Slope
681	867.0750	852.0750	822.0750	807.0750	Richland
682	867.0875	852.0875	822.0875	807.0875	Stutsman, Stark
683	867.1000	852.1000	822.1000	807.1000	Sheridan
684	867.1125	852.1125	822.1125	807.1125	Traill, Golden Valley, LaMoure, Grant
685	867.1250	852.1250	822.1250	807.1250	Foster, Cass, Griggs, Richland, Wells, Eddy
686	867.1375	852.1375	822.1375	807.1375	Burleigh, Barnes, Logan, Dunn,
688	867.1625	852.1625	822.1625	807.1625	Burleigh
698	867.2875	852.2875	822.2875	807.2875	Cass, Kidder, Bowman, McKenzie
699	867.3000	852.3000	822.3000	807.3000	Dickey, Sioux
700	867.3125	852.3125	822.3125	807.3125	McLean
703	867.3500	852.3500	822.3500	807.3500	Stutsman, Stark
704	867.3625	852.3625	822.3625	807.2625	Traill, Sheridan, Golden Valley, LaMoure, Grant
705	867.3750	852.3750	822.3750	807.3750	Cass, Griggs, Richland, Well, Eddy
706	867.3875	852.3875	822.3875	807.3875	Burleigh, Barnes, Logan, Dunn,
708	867.4125	852.4125	822.4125	807.4125	Burleigh
716	867.5375	852.5375	822.5375	807.5375	Mercer, Bowman, Dickey, Peirce, Ward
717	867.5500	852.5500	822.5500	807.5500	Sioux, Richland, Ramsey
718	867.5625	852.5626	822.5625	807.5625	Stutsman, Slope, McLean, Ward
719	867.5750	852.5750	822.5750	807.5750	Rolette,
720	867.5875	852.5875	822.5875	807.5875	Ransom, Stark, Ward
721	867.6000	852.6000	822.6000	807.6000	Benson
722	867.6125	852.6125	822.6125	807.6125	Sheridan, Golden Valley, LaMoure, Grant, Williams
723	867.6250	852.6250	822.6250	807.6250	Cass, Wells, Eddy, Towner, Renville

724	867.6375	852.6375	822.6375	807.6375	Burleigh, Barnes, Dunn, Williams, Grand Forks
725	867.6500	852.6500	822.6500	807.6500	Renville
726	867.6625	852.6625	822.6625	807.6625	Williams, Grand Forks
727	867.6750	852.6750	822.6750	801.6750	McHenry
728	867.6875	852.6875	822.6875	801.6875	Grand Forks, Divide
729	867.7000	852.7000	822.7000	801.6875	Walsh
736	867.7875	852.7875	822.7875	807.7875	Adams, McIntosh, Pierce, Ward, Traill
737	867.8000	852.8000	822.8000	807.8000	Morton, Sargent, Ramsey
738	867.8125	852.8125	822.8125	807.8125	Stutsman, Slope, McLean, Ward
739	867.8250	852.8250	822.8250	807.8250	Rolette
740	867.8375	852.8375	822.8375	807.8375	Ransom, Stark, Ward
741	867.8500	852.8500	822.8500	807.8500	Benson, Logan
742	867.8625	852.8625	822.8625	807.8625	Richland, Grant, Williams
743	867.8750	852.8750	822.8750	807.8750	Billings, Cass, Wells, Eddy, Ramsey, Renville
744	867.8875	852.8875	822.8875	807.8875	Burleigh, Barnes, Dunn
745	867.9000	852.9000	822.9000	807.9000	Ramsey, Bottineau
746	867.9125	852.9125	822.9125	807.9125	Cass
748	867.9375	852.9375	822.9375	807.9375	Grand Forks, Divide, Walsh, Nelson, Pembina, Cavalier, Mountrail, Burke
750	867.9625	852.9625	822.9625	807.9625	Walsh
754	868.0375	853.0375	823.0375	808.0375	Adams, McIntosh, Richland, Pierce, Williams, Grand Forks
755	868.0500	853.0500	823.0500	808.0500	Morton, Renville
756	868.0625	853.0625	823.0625	808.0625	Stutsman, McLean, Slope, Rolette, Williams
757	868.0750	853.0750	823.0750	808.0750	Richland
758	868.0875	853.0875	823.0875	808.0875	Stark, Ward, Towner, Grand Forks
759	868.1000	853.1000	823.1000	808.1000	Stutsman, Golden Valley
760	868.1125	853.1125	823.1125	808.1125	Morton, Richland, Ward, Grand Forks
761	868.1250	853.1250	823.1250	808.1250	Cass
762	868.1375	853.1375	823.1375	808.1375	Burleigh, Barnes, Williams, Grand Forks, Bottineau
764	868.1625	853.1625	823.1625	808.1625	Grand Forks, Bottineau
765	868.1750	853.1750	823.1750	808.1625	Ramsey, McHenry
766	868.1875	853.1875	823.1875	808.1875	Grand Forks, Walsh, Nelson, Pembina, Cavalier, Mountrail, Burke
768	868.2125	853.2125	823.2125	808.2125	Walsh
774	868.2875	853.2875	823.2875	808.2875	Mercer, Emmons, Adams, Sargent, Pierce, Williams, Grand Forks
776	868.3125	853.3125	823.3125	808.3125	McIntosh, Hettinger, McLean, Williams, Grand Forks
777	868.3250	853.3250	823.3250	808.3250	Rolette, Renville
778	868.3375	853.3375	823.3375	808.3375	Stark, LaMoure, Williams
779	868.3500	853.3500	823.3500	808.3500	Benson

780	868.3625	853.3625	823.3625	808.3625	Morton, Ward
781	868.3750	853.3750	823.3750	808.3750	Cass, Towner
782	868.3875	853.3875	823.3875	808.3875	Burleigh, Barnes, Mountrail
783	868.2125	853.2125	823.2125	808.2125	Ramsey
784	868.4125	853.4125	823.4125	808.4125	Divide, Bottineau
785	868.4250	853.4250	823.4250	808.4250	Ramsey
786	868.4375	853.4375	823.4375	808.4375	Walsh, Nelson, Pembina, Cavalier, Burke, Grand Forks
788	868.4625	853.4625	823.4625	808.4625	Walsh
794	868.5375	853.5375	823.5375	808.5375	Emmons, Hettinger, Pierce, Williams
795	868.5500	853.5500	823.5500	808.5500	Dickey, Ramsey
796	868.5625	853.5625	823.5625	808.5625	Stark, Ward
797	868.5750	853.5750	823.5750	808.5750	Rolette, Nelson
798	868.5875	853.5875	823.5875	808.5875	Stark, Ward
799	868.6000	853.6000	823.6000	808.6000	Stutsman, Towner
800	868.6125	853.6125	823.6125	808.6125	Morton, Cass, Ward
802	868.6375	853.6375	823.6375	808.6375	Cass, Burleigh, Barnes, Grand Forks, Mountrail
804	868.6625	853.6625	823.6625	808.6625	Grand Forks, Divide, Bottineau
805	868.6750	853.6750	823.6750	808.6750	Ramsey
806	868.6875	853.6875	823.6875	808.6875	Walsh, Nelson, Pembina, Cavalier, Burke
808	868.7125	853.7125	823.7125	808.7125	Walsh
814	868.7875	853.7875	823.7875	808.7875	Emmons, Hettinger, Griggs, Williams, McHenry
815	868.8000	853.8000	823.8000	808.8000	Dickey
816	868.8125	853.8125	823.8125	808.8125	Stark, Cass, Ward, Benson
817	868.8250	853.8250	823.8250	808.8250	Logan
818	868.8375	853.8375	823.8375	808.8375	Stark, Ward, Benson
819	868.8500	853.8500	823.8500	808.8500	Ransom
820	868.8625	853.8625	823.8625	808.8625	Morton, Ward. Towner
821	868.8750	853.8750	823.8750	808.8750	Cass
822	868.8875	853.8875	823.8875	808.8875	Burleigh, Barnes, Mountrail
823	868.9000	853.9000	823.9000	808.9000	McHenry
824	868.9125	853.9125	823.9125	808.9125	Divide
826	868.9375	853.9375	823.9375	808.9375	Walsh, Pembina, Cavalier, Burke

5.4 North Dakota State Map



5.5 Group Assignments for State Agencies:

TOWER	GROUP #	GROUP #
Fortuna	209	240
Columbus	220	230
Bottineau	211	231
Belcourt	218	229
Milton	209	240
Williston	210	239
Tioga	211	238
Blaisdell	219	229
Ryder	218	231
Minot	211	238
Dogden Butte	209	240
Devils Lake	210	239
Arnegard	218	231

Petersburg	220	230
Grand Forks	211	238
Denhoff	210	239
Carrington	219	229
Finley	218	231
Killdeer	209	240
Sentinel Butte	219	230
Dickinson	210	239
Hannover	218	238
New Salem	211	231
Driscoll	209	240
Bismarck	219	230
Cleveland	211	238
Valley City	209	240
Fargo	219	229
Mott	209	229
Raleigh	211	238
Linton	220	229
Wishek	210	239
Bowman	220	230
Merricourt	211	238
Cayuga	210	239
Wahpeton	209	240

"All channels are subject to a priority usage concept. These priorities are from highest to lowest:

Priority 1: Disaster and extreme emergency operations, for mutual aid and interagency communications.

Priority 2: Emergency or urgent operation involving imminent danger to the safety of life or property.

Priority 3: Special event control activities, generally of a pre-planned nature, and generally involving joint participation of two or more agencies.

Priority 4: Routine operations when no other priority in effect; may be used by any agency on shared basis for routine use."

5.6 Assignment Statistics

Maximum field strength for co-channel operation	5 Dbu
Maximum field strength for adjacent channel operation	25 Dbu
Total number of channels assigned for Counties	352
Total number of channels assigned for State Agencies	70
Total number of unassigned channels	68
Total number of reserved channels	10

5.7 Expansion of Initial Allocation

In the event that the allocation for any county becomes depleted, the Region Review Committee shall meet to make further allocations to said county. Should this occur, the applying agency or entity shall submit the proper license and coordination applications with all applicable fees, as in any other licensing request. Allocations will be made based on the initial frequency allocation plan as mentioned above, taking into consideration the channels which were returned to the reserve pool.

5.8 Prioritization of Applicants

A very simple method of prioritization has been chosen for use in this Region. As there is no unmet spectrum requirement, there appears to be no great need for prioritization. In order to facilitate future problems which may arise, the following rating system shall be used.

Prioritization shall be done according to a final score, based on applicant criteria. The highest score, in points, shall be given priority in a situation where spectrum is insufficient to fulfill the needs of all.

Public Safety Agencies …… 2 Points
Public Services Agencies ……. 1 Point
Multi-agency Systems …….. 2 Points
Multi-agency/Multi Jurisdiction Systems ……. 3 Points
Single Agency/Jurisdiction Systems ……. 1 Point

5.9 Appeal Process

At any time, any applicant may appeal an allocation, rejection, or any limits placed on a particular application for any reason. The appeal process has two levels; the Region Review Committee, and the FCC. An applicant who decides to appeal a rejection should initiate that appeal immediately upon notification of rejection. In the event that an appeal reaches the FCC, their decision will be final and binding upon all parties.

A P P E N D I X

APPENDIX A

REGIONAL PLANNING COMMITTEE

APPENDIX B

NOTICE OF FIRST PLANNING MEETING, AS SENT OUT OVER THE NCIC STATE-WIDE COMPUTER SYSTEM

PROOF OF PUBLICATION FROM FIVE STATEWIDE NEWSPAPERS FOR ADVERTISEMENT OF FIRST MEETING

PROOF OF ANNOUNCEMENT OF THE INITIAL REGIONAL NPSPAC FROM THE FCC

APPENDIX C

ADJACENT REGION COORDINATION LETTERS

APPENDIX D

NORTH DAKOTA DEMOGRAPHIC INFORMATION

APPENDIX A

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PUBLIC NOTICE

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DA 09-1967

June 24, 2009

PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES

REGION 8 (NEW YORK METROPOLITAN AREA), REGION 10 (GEORGIA), REGION 20 (DISTRICT OF COLUMBIA, MARYLAND AND NORTHERN VIRGINIA), REGION 32 (NORTH DAKOTA) AND REGION 51 (TEXAS-HOUSTON), NPSPAC REGIONAL PLANNING COMMITTEES' STREAMLINED AMENDMENTS TO REFLECT 800 MHZ BAND RECONFIGURATION IN THE 806-809/851-854 MHZ BAND

WT Docket No. 02-55, Gen. Docket Nos. 88-476, 89-452, 90-7 and
PR Docket Nos. 92-189, 93-77

Introduction. By this *Public Notice,* the Public Safety and Homeland Security Bureau (Bureau) approves the National Public Safety Planning Advisory Committee (NPSPAC) streamlined regional plan amendments (Streamlined Amendments) reflecting the new 806-809/851-854 MHz band allotments submitted by the Region 8 (New York Metropolitan Area),[1] Region 10 (Georgia),[2] Region 20 (District of

[1] *See* Letter from Lieutenant Anthony Melia, Chair, Region 8 (New York Metropolitan Area) 800 MHz Regional Planning Committee to David Furth, Acting Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, WT Docket No. 02-55, Gen. Docket No. 88-476 (filed Apr. 20, 2009) (submitting Request for Extension of Time to File Streamlined Plan Amendment); *see also* Letter from Lieutenant Anthony Melia, Chair, Region 8 (New York Metropolitan Area) 800 MHz Regional Planning Committee to David Furth, Acting Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, WT Docket No. 02-55, Gen. Docket No. 88-476 (filed Apr. 20, 2009) (submitting Streamlined Plan Amendment).

[2] *See* Letter from Jim Mollohan, Chair, Region 10 (Georgia) Regional Planning Committee to David Furth, Acting Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, WT Docket No. 02-55, PR Docket No. 92-189 (filed Apr. 15, 2009) (submitting Request for Extension of Time to File Streamlined Plan Amendment); *see also* Letter from Jim Mollohan, Chair, Region 10 (Georgia) Regional Planning Committee to Federal Communications Commission, WT Docket No. 02-55, PR

Columbia, Maryland and Northern Virginia),[3] Region 32 (North Dakota)[4] and Region 51 (Texas-Houston)[5] Regional Planning Committees (RPCs).

Background. The *800 MHz Report and Order* and subsequent orders in WT Docket No. 02-55 provide for reconfiguration of the 800 MHz band in order to eliminate harmful interference to public safety operations within the band.[6] As part of band reconfiguration, in all non-border areas, the former NPSPAC band at 821-824/866-869 MHz has shifted fifteen megahertz lower in the band to 806-809/851-854 MHz, and NPSPAC incumbents are in the process of relocating from the old to the new band. As a consequence of 800 MHz band reconfiguration, all non-border 800 MHz RPCs[7] are required to amend their regional plans currently on file with the Commission to reflect the fifteen-megahertz shift in the NPSPAC band from 821-824/866-869 MHz to 806-809/851-854 MHz.

The Commission's policies require the RPCs to prepare and submit regional plans for use of the NPSPAC band in their respective Public Safety Regions.[8] The RPCs must also update their regional plans as needed to conform to changes in the nationwide NPSPAC band plan, and to reflect other changes in the disposition of NPSPAC channels within the region, technical requirements, or procedures for assigning channels.[9]

On February 10, 2009, the Bureau directed RPCs for non-border NPSPAC regions to file amendments to their 800 MHz regional plans by April 13, 2009, to bring them into conformity with the new 800 MHz band plan.[10] Plan amendments were subject to a streamlined filing and approval procedure provided that they were limited to changes in frequency listings based on the new band plan. Alternatively, RPCs could elect to file amended regional plans by June 10, 2009, that combined rebanding-related changes with other modifications that were not rebanding-related, provided that they notified the Bureau by April 13, 2009 of their intent to do so.

Docket No. 92-189 (filed May 15, 2009) (submitting Streamlined Plan Amendment).

[3] *See* Streamlined Plan Amendment from G. Edward Ryan, II, Chair, Region 20 (District of Columbia, Maryland and Northern Virginia) 800 MHz Regional Planning Committee to Federal Communications Commission, Public Safety and Homeland Security Bureau, WT Docket No. 02-55, Gen. Docket No. 90-7 (filed Apr. 15, 2009).

[4] *See* Letter from Rick Hessinger, Chair, Region 32 (North Dakota) 800 MHz Regional Planning Committee to David Furth, Acting Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, WT Docket No. 02-55, PR Docket No. 93-77 (filed Apr. 16, 2009) (submitting Streamlined Plan Amendment).

[5] *See* Letter from Doug Frankhouser, Chair, Region 51 (Texas-Houston) 800 MHz Regional Planning Committee to David Furth, Acting Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, WT Docket No. 02-55, PR Docket No. 91-199 (filed Apr. 15, 2009) (submitting Streamlined Plan Amendment and request for two-day extension of time to file).

[6] *See* Improving Public Safety Communications in the 800 MHz Band, *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order,* 19 FCC Rcd 14969 (2004) (*800 MHz Report and Order*).

[7] RPCs for all NPSPAC regions in Waves 1, 2, and 3, other than Region 19 (New England), must file amendments. NPSPAC Region 19 and all NPSPAC regions in Wave 4 are excluded from this requirement, and RPCs for these regions are not required to submit amended plans at this time. We will provide information on the plan amendment process for these regions at a later date, after the 800 MHz Transition Administrator determines replacement channel assignments for NPSPAC licensees in the U.S. - Canada and U.S. - Mexico border areas.

[8] *See* 47 C.F.R. § 90.16 (no assignments will be made in spectrum designated for the Public Safety National Plan until a regional plan for the area has been accepted by the Commission); *see also* Development and Implementation of a Public Safety National Plan and Amendment of Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/866-869 MHz Bands by the Public Safety Services, Gen. Docket No. 87-112, *Report and Order,* 3 FCC Rcd 905 (1987) (*National Plan Report and Order).*

[9] *See National Plan Report and Order*, 3 FCC Rcd at 911 ¶57.

[10] *See* Public Safety and Homeland Security Bureau Provides Guidance on Amendment of 800 MHz Plans to Reflect 800 MHz reconfiguration and on Licensing of New NPSPAC Facilities in the 806-809/851-854 MHz Band, WT Docket No. 02-55, *Public Notice,* 24 FCC Rcd 1364 (PSHSB 2009).

Review of the Streamlined and Non-Streamlined Plan Amendments. Streamlined Regional Plan Amendments are limited to shifting channel assignments in the existing plan downward by fifteen megahertz. RPCs were allowed to submit such amendments without obtaining adjacent region concurrence, and were permitted to include administrative updates (*e.g.*, changes to RPC by-laws or membership) in their amendments under this process. The Bureau waived normal public notice and comment procedures for processing the streamlined amendments.

Non-Streamlined Regional Plan Amendments include other substantive modifications to regional plans, *e.g.*, changes to channel allocations within the region, technical parameters, or procedures for assigning channels. RPCs are required to obtain adjacent region concurrence to support such plan amendments prior to filing. After initial review, the Bureau will place non-streamlined amendments on public notice for comment prior to approval.

We have reviewed the Region 8, Region 10, Region 20, Region 32 and Region 51 Streamlined Plan Amendments and conclude, based on the information before us, that they comply with FCC rules and policies. In addition, both verbal and written requests for extensions of time to file plan Streamlined Amendments after the April 13, 2009 due date, are hereby granted *nunc pro tunc*.

Accordingly, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.102(b) of the Commission's rules, 47 C.F.R. § 1.102(b), the Region 8, Region 10, Region 20, Region 32, and Region 51 800 MHz NPSPAC Streamlined Plan Amendments are APPROVED.

This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission's rules, 47 C.F.R. §§ 0.191, 0.392.

Action by the Acting Chief, Public Safety and Homeland Security Bureau.

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NORTH DAKOTA DEMOGRAPHIC INFORMATION

Geography	4/1/2010 Census
Adams County, North Dakota	2,343
Barnes County, North Dakota	11,066
Benson County, North Dakota	6,660
Billings County, North Dakota	783
Bottineau County, North Dakota	6,429
Bowman County, North Dakota	3,151
Burke County, North Dakota	1,968
Burleigh County, North Dakota	81,308
Cass County, North Dakota	149,778
Cavalier County, North Dakota	3,993
Dickey County, North Dakota	5,289
Divide County, North Dakota	2,071
Dunn County, North Dakota	3,536
Eddy County, North Dakota	2,385
Emmons County, North Dakota	3,550
Foster County, North Dakota	3,343
Golden Valley County, North Dakota	1,680
Grand Forks County, North Dakota	66,861
Grant County, North Dakota	2,394
Griggs County, North Dakota	2,420
Hettinger County, North Dakota	2,477
Kidder County, North Dakota	2,435
LaMoure County, North Dakota	4,139
Logan County, North Dakota	1,990
McHenry County, North Dakota	5,395
McIntosh County, North Dakota	2,809
McKenzie County, North Dakota	6,360
McLean County, North Dakota	8,962
Mercer County, North Dakota	8,424
Morton County, North Dakota	27,471
Mountrail County, North Dakota	7,673
Nelson County, North Dakota	3,126
Oliver County, North Dakota	1,846
Pembina County, North Dakota	7,413

Pierce County, North Dakota	4,357
Ramsey County, North Dakota	11,451
Ransom County, North Dakota	5,457
Renville County, North Dakota	2,470
Richland County, North Dakota	16,321
Rolette County, North Dakota	13,937
Sargent County, North Dakota	3,829
Sheridan County, North Dakota	1,321
Sioux County, North Dakota	4,153
Slope County, North Dakota	727
Stark County, North Dakota	24,199
Steele County, North Dakota	1,975
Stutsman County, North Dakota	21,100
Towner County, North Dakota	2,246
Traill County, North Dakota	8,121
Walsh County, North Dakota	11,119
Ward County, North Dakota	61,675
Wells County, North Dakota	4,207
Williams County, North Dakota	22,398