



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 11-1716

October 14, 2011

PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES REGION 5 (SOUTHERN CALIFORNIA) 700 MHZ REGIONAL PLAN AMENDMENT

WT Docket No. 02-378

Introduction. On July 12, 2011, the Region 5 (Southern California)¹ 700 MHz Regional Planning Committee (RPC) submitted a proposed modification (Plan Amendment) to amend its 700 MHz Public Safety Plan² for General Use spectrum in the 769-775/799-805 MHz band.³ For the reasons discussed below, we approve the Region 5 700 MHz Plan Amendment.

Background. In 1998, the Commission established a structure to allow regional planning committees (RPCs) optimal flexibility to meet state and local needs, encourage innovative use of the spectrum, and accommodate new and as yet unanticipated developments in technology and equipment.⁴ The Commission's rules require each of the fifty-five RPCs to submit its plan for the General Use spectrum.⁵ The Commission's role in relation to the RPCs is limited to (1) defining the regional boundaries; (2) requiring fair and open procedures, *i.e.*, requiring notice, opportunity for comment, and reasonable consideration; (3) specifying the elements that all regional plans must include; and (4) reviewing and accepting proposed plans (or amendments to approved plans) or rejecting them with an explanation.⁶

¹ The Region 5 (Southern California) 700 MHz regional planning area consists of ten counties: Imperial, Los Angeles, Orange, Riverside, Santa Barbara, San Bernadino, San Diego, Kern, San Louis Obispo and Ventura.

² See Letter from David Buchanan, Chair, Region 5 700 MHz Regional Planning Committee, to Marlene H. Dortch, Secretary, Federal Communications Commission, WT Docket No. 02-378 (filed July 12, 2011) (Plan Amendment).

³ The General Use spectrum is administered by regional planning committees (RPCs) and is licensed for public safety services on a site-by-site basis in accordance with the relevant Commission-approved regional plan and frequency coordination.

⁴ See 47 C.F.R. § 90.527; see also Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010, WT Docket No. 96-86, *First Report and Order and Third Notice of Proposed Rulemaking*, 14 FCC Rcd 152 (1998) (*First Report and Order*); Development of Operational, Technical and Spectrum Requirements For Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010, WT Docket No. 96-86, *Second Memorandum Opinion and Order*, 15 FCC Rcd 16844 (2000).

⁵ See 47 C.F.R. § 90.527. Each RPC must incorporate certain common elements into its 700 MHz plan. A list of 700 MHz RPCs and region activities is available at <http://www.fcc.gov/pshs/public-safety-spectrum/700-MHz/>.

⁶ *First Report and Order*, 14 FCC Rcd at 195 ¶ 87.

On July 31, 2007, the Commission adopted a *Second Report and Order* revising the rules governing wireless licenses in the 700 MHz band.⁷ The Commission adopted a plan for the 700 MHz band to establish a nationwide, interoperable public safety broadband communications network for the benefit of state and local public safety users. The Commission designated the lower half of the 700 MHz public safety band for broadband communications (763-768/793-798 MHz) and consolidated existing narrowband allocations in the upper half of the public safety 700 MHz band (769-775/799-805 MHz).

Review of the Region 5 Plan Amendment. The Plan Amendment modified the Plan by:

- Revising the frequency allocations to provide a channel change allotment for the City of San Diego to permit the County of Riverside to expand to additional sites, and to resolve interference concerns impacting the County of Orange and the City of San Diego at some sites, and
- Providing new allocations for the Port of Los Angeles. The allocations are only for the vicinity of the Port of Los Angeles.

All three regions adjacent to Region 5 – Region 3 (Arizona), Region 6 (Northern California), and Region 27 (Nevada)⁸ – reviewed the Plan Amendment and provided letters of concurrence.

On August 22, 2011, the Region 5 Plan Amendment was placed on *Public Notice* for comment.⁹ We received no comments. We have reviewed the Region 5 Plan Amendment, and conclude, based on the information before us that it complies with Commission rules and policies. 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 5 (Southern California) 700 MHz Public Safety, we APPROVE the Plan Amendment.

We take this action 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 Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau.

- FCC -

⁷ Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010, PS Docket No. 06-229, WT Docket No. 96-86, *Second Report and Order*, 22 FCC Rcd 15289 (2007).

⁸ See 47 C.F.R. 90.527(a)(5) (requiring that each regional planning committee provide an explanation of how its plan has been coordinated with adjacent regions).

⁹ See Public Safety and Homeland Security Bureau Seeks Comments on Region 5 (Southern California) 700 MHz Plan Amendment, WT Docket No. 02-378, *Public Notice*, 26 FCC Rcd 11458 (PSHSB 2011). Comments were due September 12, 2011, and reply comments were due September 22, 2011.