

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 90****[General Docket Nos. 89–573 and 90–7; DA 96–2066]****Addressing Amendments for the 821–824/866–869 MHz Bands as Submitted by the Regional Planning Committees of the Washington, DC and Philadelphia, PA Metropolitan Areas**

SUMMARY: This action addresses amendments for the 821–824/866–869 MHz bands as submitted by the regional planning committees of the Washington, DC Metropolitan Area (“Region 20”) and the Philadelphia, PA Metropolitan Area (“Region 28”). Such action is required by procedures established by the Commission for the development of regional plans under the Public Safety National Plan (National Plan) for the public safety radio services. The National Plan was developed to ensure that channels allocated in the 821–824/866–869 MHz bands were used effectively and efficiently for important public safety functions such as crime control, fire fighting, and emergency medical services. This decision furthers the Commission’s goal of promoting efficient and effective public safety communications. The effect of the action conditionally accepts the Region 20 amendment to modify its respective regional plan subject to the finding of additional information and to return the Region 28 amendment for further coordination with adjacent regions as provided by the National Plan.

FOR FURTHER INFORMATION CONTACT: William Cross of the Commission’s Wireless Telecommunications Bureau at (202) 418–0680 or wcross@fcc.gov (Internet).

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Order, DA 96–2066, adopted and released

December 9, 1996. The complete text may be purchased from the Commission’s copy contractor, ITS, Inc., 2100 M Street NW., Suite 140, Washington, DC 20037, telephone (202) 857–3800. The unofficial text of this Order is available on the Internet at: <http://www.fcc.gov/Bureaus/Wireless/Orders/da962066.txt>. This Order is also available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, D C 20554.

SUMMARY OF THE ORDER:

1. This Order addresses amendments submitted by the regional planning committees of the Washington, DC Metropolitan Area (“Region 20”) and the Philadelphia, PA Metropolitan Area (“Region 28”). In separate amendments, each committee proposes to modify their respective regional plans for the 821–824/866–869 MHz bands as provided by the Public Safety National Plan (“National Plan”). See Report and Order, 3 FCC Rcd 905; 53 FR 1022 (January 15, 1988).

2. Oppositions have been filed against both amendments. Both amendments concern the manner in which public safety spectrum governed by the National Plan is allocated among adjacent regions to meet the mobile communications requirements of public safety and special emergency entities.

3. In reviewing Region 20, the Commission noted that there are three elements of the Region 20 amendment that cause concern: (1) The lack of coordination with adjacent regions, (2) the licensing of stations prior to plan approval, and (3) a channel designation to an individual. Although the Commission has clearly stated that inter-regional coordination is mandatory, the lack of consensus between the parties appears to have inhibited the expansion of public safety telecommunications in these bands for these critical metropolitan areas. Region 20 points out that a review of the record

affirms that the channel assignments cited by Region 28 and other parties as potential problems all pertain to channels contained in plans previously approved by the Commission. The Commission also found that the channels under consideration at this time have already been licensed by the Commission.

4. For these reasons, Region 20’s amendment is accepted subject to the following conditions: (a) A detailed statement that establishes satisfactory inter-regional coordination procedures (See paragraph 11 of *Order*)—to be filed with Acting Secretary of the Commission and with copies to the Private Wireless Division of the Commission’s Wireless Telecommunications Bureau by March 30, 1997; (b) a list denoting the current status of construction and operation of stations licensed on the new channels set forth in the Region 20 amendment (See paragraph 15 of *Order*)—to be similarly filed by January 30, 1997; and (c) a change from “MCT Medical Services” to an appropriate channel designation (See paragraph 18 of *Order*)—to be similarly filed by January 30, 1997.

5. Regarding Region 28, the Commission found that Region 28 had not coordinated its amendment in advance as required; and has not yet obtained concurrence from the adjacent regions. Consequently, Region 28’s amendment is returned for further coordination so that discussions can commence between the interested parties.

List of Subjects in 47 CFR Part 90

Public safety, Radio.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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