Region 53 700MHz Plan

Attachment 1 Inter-Regional Coordination Agreements (signed copies)

[Appendix G - Inter-Regional Coordination Procedures and Procedures for Resolution of Disputes That May Arise Under FCC Approved Plans]

Note: The following form requires original signatures from the designated regions, assuring agreement confirmation of these procedures.

I. INTRODUCTION

1. This is a mutually agreed upon Inter-Regional Coordination Procedures Agreement (Agreement) by and between the 700 MHz Regional Planning Committees of Regions 53, 49, 50, and 51; whereas AGREEMENT HERETO and confirmed on the _____ day of _____, in the year of _____.

II. INTER-REGIONAL COORDINATION AGREEMENT

1. The following is the specific procedure for Inter-Regional Coordination which has been agreed upon by Regions 53, 49, 50, and 51, and which will be used by the Regions to coordinate with adjacent Regional Planning Committees.

a. An application-filing window is opened or the Region announces that it is prepared to begin accepting applications on a first-come/first-served basis.
b. Applications by eligible entities are accepted.
c. An application-filing window (if this procedure is being used) is closed after appropriate time interval.
d. Intra-Regional review and coordination takes place, including a technical review resulting in assignment of channels.
e. After Intra-Regional review, a copy of those frequency-specific applications requiring adjacent Region approval, including a definition statement of proposed service area, shall then be forwarded to the adjacent Region(s) for review.[1] This information will be sent to the adjacent Regional chairperson(s) using the CAPRAD database.
f. The adjacent Region reviews the application. If the application is approved, a letter of concurrence shall be sent, via the CAPRAD database, to the initiating Regional chairperson within thirty (30) calendar days.

[1] If an applicant's proposed service area or interference contour extends into an adjacent Public Safety Region(s), the application must be approved by the affected Region(s). Service areas shall normally be defined as the area included in the geographical boundary of the applicant, plus three (3) miles. Interference contour shall normally be defined as a 5 dBu co-channel contour or a 60 dBu adjacent channel contour. Other definitions of service area or interference shall be justified with an accompanying *Memorandum of Understanding (MOU)* or other application documentation between agencies, i.e. mutual aid agreements.

III. DISPUTE RESOLUTION

1. If the adjacent Region(s) cannot approve the request, the adjacent Region shall document the reasons for partial or non-concurrence, and respond within 10 (ten) calendar days via email. If the applying Region cannot modify the application to satisfy the objections of the adjacent Region then, a working group comprised of representatives of the two Regions shall be convened within thirty (30) calendar days to attempt to resolve the dispute. The working group shall then report its findings within thirty (30) calendar days to the Regional chairpersons email (CAPRAD database). Findings may include, but not be limited to:

a. Unconditional concurrence;
b. Conditional concurrence contingent upon modification of Applicant's technical parameters; or
c. Partial or total denial of proposed frequencies due to inability to meet co-channel/adjacent channel interference free protection to existing licensees within the adjacent Region.

2. If the Inter-Regional Working Group cannot resolve the dispute, then the matter shall be forwarded for evaluation to the appropriate subcommittee of the National Regional Planning Council (NRPC), or any subsequent oversight organization. Each Region involved in the dispute shall include a detailed explanation of its position, including engineering studies and any other technical information deemed relevant. The NRPC will, within thirty (30) calendar days, report its recommendation(s) to the Regional chairpersons via the CAPRAD database. The NRPC's decision may support either of the disputing Regions or it may develop a proposal that it deems mutually advantageous to each disputing Region.

3. Where adjacent Region concurrence has been secured and the channel assignments would result in no change to the Region's currently Commission approved channel assignment matrix, the initiating Region may then advise the applicant(s) that their application may be forwarded to a frequency coordinator for processing and filing with the Commission.

4. Where adjacent Region concurrence has been secured, and the channel assignments would result in a change to the Region's currently Commission approved channel assignment matrix, then the initiating Region shall file with the Commission a *Petition to Amend* their current Regional plan's frequency matrix, reflecting the new channel assignments, with a copy of the *Petition* sent to the adjacent Regional chairperson(s).

5. Upon Commission issuance of an *Order* adopting the amended channel assignment matrix, the initiating Regional chairperson will send a courtesy copy of the *Order* to the adjacent Regional chairperson(s) and may then advise the applicant(s) that they may forward their applications to the frequency coordinator for processing and filing with the Commission.

III. CONCLUSION

1. IN AGREEMENT HERETO, Regions 53, 49, 50, and 51, do hereunto set their signatures the day and year written.

Respectfully,
[All signatories to agreement]

Region 53 _____ Date:_____

Region 49 _____ Date:_____

Region 50 _____ Date: 2/17/2012

Region 51 _____ Date:_____