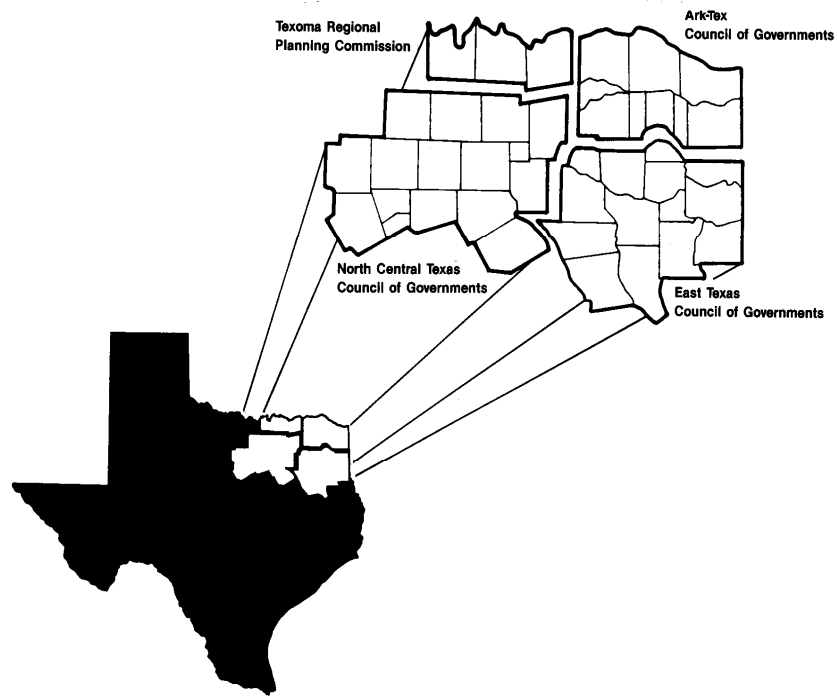


# Region 40 Plan for 700 MHz. Public Safety Radio Communications

## North Central and North East Texas



Coordinated by North Central Texas Council of Governments

# Region 40 700 MHz Plan / Central and North East Texas

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# Region 40 700 MHz Plan / Central and North East Texas

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## 769-775 / 799-805 MHz Regional Plan for Region 40 (Central & Northeast Texas)

This document is the Regional Plan for Region 40 (Central and Northeast Texas) describing how the 769-775 / 799-805 Mhz General Use frequencies will be allocated and implemented in the Region.

### REGIONAL CHAIR

On June 26, 2002, Peter Ungar, City of Fort Worth, convened the Region 40 700 MHz Regional Planning Committee (RPC). The North Central Texas Council of Governments (NCTCOG) hosted the meeting. An election was held and the membership in attendance elected Dan Scrivner, City of Dallas, as the Chair of the Region 40 700 MHz Regional Planning Committee. Peter Ungar was elected Vice-Chair.

On January 24, 2008, during the regularly scheduled meeting of the North Central Texas Council of Governments Executive Board, a new Chair, Gerard Eads, City of Arlington, and new Vice Chair, Wanda McCarley, Tarrant County 911, were confirmed and appointed to the Region 40 700 MHz Regional Planning Committee(RPC). This action was prompted by Mr. Scrivner's retirement from the City of Dallas, and Mr. Ungar taking a new position in the private sector.

#### Contact Details:

Gerard Eads  
Communications Services Administrator  
City of Arlington  
201 E Abrams  
Arlington, Texas 76010  
Voice 817-459-6151  
Fax 817-459-5554  
Email: [Gerard.Eads@arlingtontx.gov](mailto:Gerard.Eads@arlingtontx.gov)

Wanda McCarley  
Operations/Training Manager  
Tarrant County 911  
100 E. 15<sup>th</sup> Street, #420  
Fort Worth, TX 76102  
Voice 817-820-1185  
Fax 817-882-0500  
Email: [wanda@tc911.org](mailto:wanda@tc911.org)

### REGIONAL PLANNING COMMITTEE BYLAWS AND MEMBERSHIP

Following are the Region 40 700 MHz Regional Planning Committee bylaws. Committee Officer requirements, voting procedures and membership attendance requirements are listed in the bylaws. Membership in the Region 40 Regional Planning Committee is open to any interested party. Voting and operating procedures are described in the Regional Plan Summary section of this plan.

# Region 40 700 MHz Plan / Central and North East Texas

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The North Central Texas Council of Governments will act as the coordinating agency for plan development and frequency application review. NCTCOG will host and has hosted many of the meetings for development of the Plan and subcommittee input.

## Contact detail:

Fred Keithley  
Director of Community Services  
North Central Texas Council of Governments (NCTCOG)  
P.O. Box 5888  
616 Six Flags Dr.  
Arlington, Tx. 76011  
Voice 817-695-9171  
Fax: 817-608-2372  
E-mail: [fkeithley@nctcog.org](mailto:fkeithley@nctcog.org)

## **REGION 40'S BYLAWS**

THE BYLAWS OF REGION 40 PUBLIC SAFETY PLANNING COMMITTEE

700 MHz Public Safety Band.

Approved October 2, 2002

### **ARTICLE I**

#### **NAME AND PURPOSE**

1.1 Name and Purpose: The name of this Regional Planning Committee shall be the Region 40 Public Safety Planning Committee. Its primary purpose is to foster cooperation, planning and development of regional plans and the implementation of these plans for the 700 MHz Public Safety Band.

### **ARTICLE II**

#### **MEMBERS**

For purposes of this Article, the term "member", unless otherwise specified, refers to both voting and non-voting representatives from within the 42 county North Central and Northeast Texas planning area.

**2.1 Number, Election, and Qualification:** The Regional Planning Committee shall have two categories of members, "voting members" and "non-voting members". New members may be added at any meeting of the Regional Planning Committee.

Voting Members: Voting members shall consist of one representative from any single agency engaged in public safety that is eligible to hold a license under 47 CFR 90.20, 47 CFR 90.523, or 47 CFR 2.103 Each eligible agency shall be allowed one vote. In voting on any issue the individual must identify himself/herself and the agency he or she represents.

Non-Voting Members: Non-Voting members consist of all others interested in furthering the goals of public safety communications.

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**2.2 Tenure:** Each member shall hold membership from the date of acceptance until resignation or removal by the entity or the Region 40 Planning Committee.

**2.3 Suspension and Removal:** A representative may be removed by action of the representative's entity or removed with cause by a majority vote of attending voting committee members after reasonable notice and opportunity to be heard.

**2.4 Resignation:** A representative may resign by delivering a signed written resignation to any elected officer of the Regional Planning Committee or submitting same in person at any Regional Planning Committee meeting.

**2.5 Meetings:** Meetings shall be held at the facilities of the North Central Texas Council of Governments in Arlington, Texas.

**2.5 Special Meetings:** Special meetings may be held at any time and at any place within the Region 40 planning area. Special meetings may be called by the chairman or the vice-chairman, or in case of death, absence, or incapacity of the first two officers, by written application of five or more members.

**2.6 Call and Notice:** The time and place for meetings will be announced at least 21 days in advance.

It shall be reasonable and sufficient notice of the time and place for special meetings to be mailed to members at least five days prior to a called special meeting or a notice sent by email/facsimile at least three days prior to a called special meeting. Such notices must be addressed to the appropriate person at the addresses of record contained in the membership roster of members of the committee. It is the responsibility of the individual member to insure that the address of record is correct. Email is an acceptable form of notification for those who have email addresses.

**2.7 Quorum:** At any meeting, one officer and a minimum of 10 voting members shall constitute a quorum. Failure to seat a quorum may result in adjournment and the resetting of a future meeting date.

**2.8 Action by Vote:** Each voting member, representing a particular agency, shall have one vote in accordance with Article 2.1. Each agency is responsible to notify Region 40, through NCTCOG, by signature of the agency's voting representative. In case of a dispute of credentials, the officers, acting as a credentials committee, will determine the authorized voter representative. When a quorum is present at any meeting, a majority of the votes properly cast by voting members present shall decide any question, including election to any office unless stated otherwise in these bylaws.

**2.9 Action by Writing:** Any action permitted to be taken at any meeting may be taken without a meeting if a majority of the members entitled to vote consent to the action in writing. The written consents must be signed and shall be filed with the records of any actions taken. Such consents shall be treated for all purposes as a vote taken at a meeting. Email consents are not acceptable.

**2.10 Proxy Voting:** Voting members may vote either in person or by written proxy specifically dated for the meeting at which the proxy is to be executed. The proxy must indicate the name of the voting member who is entitled to execute the proxy, the date of the meeting for which the proxy is intended, and the signature of the voting member in whose name the vote will be cast. A legal proxy shall be counted as a voter in attendance and is therefore considered a part of the quorum count.

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Voting members carrying a proxy must file the proxy with the secretary prior to any business for which the proxy vote may be cast. Any proxy will terminate at the final adjournment of the meeting for which the proxy was written.

**2.11 Special Interest Voting:** At no time can a voting member vote on his/her own application. A voting member cannot have a commercial interest in any of his/her region and/or adjacent region's applications on which he/she is reviewing, approving, and/or voting.

## ARTICLE III

### OFFICERS AND AGENTS

**3.1 Number and Qualifications:** The officers of the Region 40 Public Safety Planning Committee shall be a chairman, vice-chairman, and a secretary/treasurer. All officers must be qualified as a voting member

**3.2 Election:** The chairman and vice-chairman shall be elected at the convening meeting. The secretary/treasurer shall be elected following approval of these bylaws.

**3.2 Tenure:** The officers' tenure shall be at least one year or until the October meeting held within one year from the adoption of these bylaws, or until their successor, if any, is chosen. Regular elections shall be held at the October meeting each calendar year. There is no term limit on officers.

**3.3 Chairman and Vice-Chairman:** The chairman shall direct the business of the Region 40 Public Safety Planning Committee and, subject to the control of the voting members, shall have general charge and supervision of the affairs of the Regional Planning Committee. The Chairman shall preside at all meetings of the Regional Planning Committee and shall cast the deciding vote in any case of a tie vote on any issue. The Vice-Chairman shall have all the powers and duties of the chairman during the absence of the chairman or in the event of his or her inability to act.

**3.4 Secretary/Treasurer:** The secretary/treasurer shall attend to the financial affairs of the Regional Planning Committee and provide assistance to members by recording the Committee's business, notifying the Committee of meetings, facilitating meeting and planning activities, and providing other assistance, as needed. Secretary/treasurer responsibilities will be conducted by NCTCOG.

**3.5 Suspension and Removal:** Any officer may be suspended, with cause, by vote of a majority of the voting members of record.

**3.6 Resignation:** An officer may resign by delivering his or her signed written resignation to any other officer or to the North Central Texas Council of Governments. Such resignation becomes effective upon receipt unless specified to be effective at some other time. Acceptance by the Regional Planning Committee is not required for it to be effective unless it so states.

**3.7 Vacancies:** If an office becomes vacant, the Regional Planning Committee may elect a successor at any meeting, special or regular. The term of the elected successor shall be until his/her successor is elected. A regular election shall be held at the October meeting next.

## ARTICLE IV

# Region 40 700 MHz Plan / Central and North East Texas

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## AMENDMENTS

These bylaws may be altered, amended, or replaced in whole or in part by vote as follows:  
The voting members may, by a two-thirds vote of a quorum, alter, amend, or repeal any bylaw adopted by the Regional Planning Committee. The Regional Planning Committee may otherwise adopt, alter, amend or repeal any provision of these bylaws, which may be or become in conflict with Federal Communications Commission regulation, by a majority of the quorum.

## ARTICLE V

### DISSOLUTION

This Regional Planning Committee may be dissolved by the consent of two-thirds plus one of the voting members at a special meeting called for such purpose. The Federal Communications Commission shall be notified of such action.

## ARTICLE VI

### RULES OF PROCEDURES

The conducting of business for the Region 40 Public Safety Planning Committing meetings, unless otherwise in conflict with these bylaws, shall be governed by Robert's Rules of Order, newly revised 1990 edition, ninth edition, Sarah Corbin Robert, Henry M. Robert III, and William J. Evans.

## DESCRIPTION OF REGION 40

To appreciate Region 40's diversity and general economic composition, the following briefly profiles the State of Texas as a whole.

### STATE PROFILE

#### ***Population***

The State's population reached 21,799,893 in 2002 according to latest U.S. Bureau estimates. By 2040 the population is expected to reach 35 million.

The majority of people-82%-live in the major metropolitan centers of the State; Houston, Dallas, Fort worth, Austin, and San Antonio. The states increase in population was found in these same areas for the most part.

#### ***Employment***

The State added 2,488,400 non-farm jobs since the 1990 census and this helps support the claim that Texas leads all states in net job creation. The state's expanding population and economy have benefited the Texas construction sector, which has added 239,900 jobs since January 1990. Texas employment in finance and insurance has increased by 25.3 percent since January 1990. Texas employs far more people in the mining sector (which includes oil and gas production) than any other state. While the state has experienced a net decline in mining jobs since January 1990, the sector has enjoyed relative stability compared to the "boom" and

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“bust” cycles of earlier decades. The services sector includes a wide range of industries from architectural engineering, software and film production to hotels, hospitals, and dry cleaners. The services sector is Texas’ largest, employing 7.7 million people.

### ***Labor and Management Diversity***

In 1997, there were more than 240,000 Hispanic-owned firms in Texas, and together these enterprises recorded sales and receipts of nearly \$39.5 billion. Black-owned firms in Texas numbered just over 60,000 in 1997 and recorded sales and receipts exceeding \$6.8 billion. As a group, the 75,000-plus Texas firms owned by Asians, Pacific Islanders, American Indians, and Alaskan Natives saw sales and receipts of \$22.2 billion in 1997.

### ***Income***

Metropolitan per capita income varies considerably across the state. Texas’ two largest metro areas, the Dallas PMSA and the Houston PMSA, have large concentrations of jobs in financial and business services as well as high-paying manufacturing jobs in electronics, motor vehicles, chemicals, machinery, and aerospace. These two metros have the highest per capita incomes of any of the state’s metropolitan areas. In contrast, the metropolitan areas located along the border with Mexico have per capita income levels that rank among the lowest in the state.

### ***Gross State Product***

The Texas gross state product (GSP) is forecast by the Comptroller of Public Accounts to reach \$924.55 billion (in current dollars) in 2005. Since the 1986 recession, the Texas economy has been steadily diversifying. The service sector’s share of GSP increased from 14.7 percent in 1986 to 20.5 percent in 2001, while manufacturing fell slightly from 14.1 percent of the economy in 1986 to 13.1 percent in 2001. Mining’s share of Texas GSP (i.e., primarily oil and gas extraction) has been as high as 19.6 percent in 1981. Mining declined from 8.8 percent in 1986 to 6.2 percent in 2001.

### ***Real Estate***

Despite the downturn in the national economy, median sales prices for existing single-family homes in Texas metropolitan areas are remaining relatively steady. According to recent figures from the National Association of Realtors, as of the second quarter of 2003, home prices in the Austin metro increased slightly from \$151,700 (first quarter 2003) to \$161,200, still the highest among reporting metropolitan areas in Texas. Austin was followed by Dallas which had a median sales price of \$139,900. Houston was next in the rankings with a median sales price of \$136,900 in the second quarter of 2003.

### ***International Trade & Investment***

The NAFTA trade area, East Asia, and the European Union are the leading destinations for Texas exports. The state’s largest export market continues to be its NAFTA trading partners, Mexico and Canada, which accounted for 54.0 percent of total state exports during 2002. East Asia accounted for 12.0 percent of the state’s total exports. Taiwan became the top destination for Texas exports in East Asia.

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Exports to Taiwan increased 42.3 percent from \$2.6 billion in 2001 to \$3.7 billion in 2002, ranking Taiwan third overall behind Mexico and Canada. Texas exports to the European Union (EU) accounted for 9.9 percent of total state exports for 2002, slightly down from the 2001 export values. Texas exports to the EU went from \$10.7 billion in 2001 to \$9.5 billion in 2002. The United Kingdom remains the principal destination for Texas Exports in the European Union.

## ***Research and Development***

Several Texas universities and research institutions are leaders in electronics, medical, biotechnology, aerospace, advanced materials, and energy-related research. In 2001, Texas was in third place nationwide for producing the most patents, trailing behind California and New York. Texas' patent generation rate has increased significantly as new information technology industries have emerged and as traditional industries (e.g., oil and gas exploration and production) have used advanced research to maintain a competitive advantage in world markets.

## ***Transportation***

The importance of international business can be seen in increased air passenger traffic at Texas airports between 1998 and 2000. The state's two largest airports, Dallas-Fort Worth International (DFW) and George Bush Intercontinental in Houston (IAH), serve as major hubs for connecting flights within the domestic air system.

With the increasing importance of global business linkages, the growth in international air traffic at Texas' two largest airports outpaced overall growth from 1995 to 1999. While IAH now handles more international passengers than any other airport in the state, DFW, one the nation's top four domestic hubs, remains much larger. As of May 2003, DFW and IAH were the sixth and fourteenth busiest airports in the world.

## **DEFINITION OF REGION 40, ITS BOUNDARIES, COUNTIES AND CITIES**

Region 40, North Central and North East Texas, includes four COG's (Councils of Governments) namely, North Central Texas Council of Governments (NCTCOG), Texoma Regional Planning Commission, Ark-Tex Council of Governments and the East Texas Council of Governments. There are 42 counties within Region 40. The 42 county area typifies geographical diversity from its rich farmland in the northeast to fairly hilly semi-mountainous terrain in the western part of the region. Much of the Region's area is extensive from the standpoint of public safety officer coverage. There are times when only a few law enforcement officers may be responsible for covering an area greater than 900 square miles. Rural fire departments often operate without sufficient resources, including communications. Region 40 encompasses 31,193 square miles.

## ***List of counties within Region 40***

### **ARK-TEX COG**

Bowie  
Cass  
Delta

Franklin  
Hopkins  
Lamar

Morris  
Red River  
Titus

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## **EAST TEXAS COG**

Anderson  
Camp  
Cherokee  
Gregg  
Harrison

Henderson  
Marion  
Panola  
Rain  
Rusk

Smith  
Upshur  
Van Zandt  
Wood

## **NCTCOG**

Collin  
Dallas  
Denton  
Ellis  
Erath  
Hood

Hunt  
Johnson  
Kaufman  
Navarro  
Palo Pinto  
Parker

Rockwall  
Somervell  
Tarrant  
Wise

## **TEXOMA RPC**

Cooke  
Fannin  
Grayson

## **All Counties Within Region 40 Listed Alphabetically**

Anderson  
Bowie  
Camp  
Cass  
Cherokee  
Collin  
Cooke  
Dallas  
Delta  
Denton  
Ellis  
Erath  
Fannin  
Franklin

Grayson  
Gregg  
Harrison  
Henderson  
Hood  
Hopkins  
Hunt  
Johnson  
Kaufman  
Lamar,  
Marion  
Morris  
Navarro  
Palo Pinto

Panola  
Parker  
Rains  
Red River  
Rockwall  
Rusk  
Smith  
Somervell  
Tarrant  
Titus  
Upshur  
Van Zandt  
Wise  
Wood

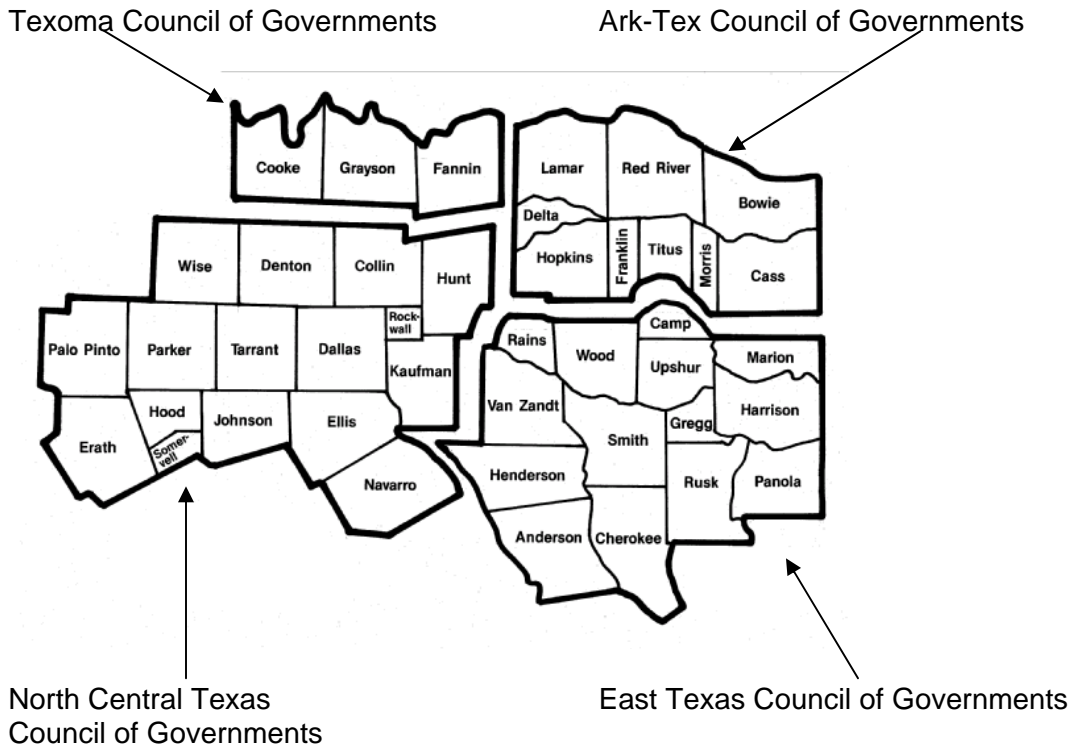
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Region 40's boundaries and counties are depicted by the map below:

## Map of Region 40



Region 40 (North Central Texas) has seven (7) adjacent regions. They are as follows:

Region 04, Arkansas  
Region 18, Louisiana  
Region 34, Oklahoma  
Region 49, Central Texas

Region 50, West Texas  
Region 51, East Texas - Houston  
Region 52, Texas Panhandle

## Regional Profiles

(Cities are included in the Counties presented)

### Ark-Tex Council of Governments

Serves 10 counties; Lamar, Red River, Delta, Hopkins, Franklin, Titus, Morris, Bowie, Cass, and Miller. Miller County extends into Arkansas where nearly 40,000 persons reside. The area encompasses 6400 square miles and a population of 270,488. More than 40 cities are included in the area. The region's largest city is Texarkana, located in Bowie County. (See Appendix A for more on this region's jurisdictions).

### **North Central Texas Council of Governments**

is a sixteen-county metropolitan region centered on Dallas and Fort Worth. The region has a population of 5.2 million (which is more than the population of 30 states), and an area of approximately 12,800 square miles (which is larger than nine states). The area is characterized by high tech industries, recreation, cultural facilities, heavy real estate interests, medical research industry, and a quickly recovering economy. Much of the above is the result of the Dallas-Fort Worth Airport and its impact on business as one of the major transportation hubs in the world.

Only minutes outside the metropolitan area of Dallas-Fort Worth is a more rural landscape concentrating on agribusiness; cattle raising, crop growing, and farming of all kinds. This part of the region abounds in lakes where water recreation is a major business. (See Appendix A for more on this region's jurisdictions).

### **East Texas Council of Governments**

serves 14 counties and more than 70 cities in 10,021 square miles. Its population exceeds 700,000, which is divided equally between urban and rural. The largest city is Longview with a population of 73,344. The region abounds in scenic beauty with its many lakes and forests. (More on East Texas jurisdictions may be found in Appendix A).

### **Texoma Regional Planning Commission**

has a population of 178,200 and serves an area of 2736 square miles. It serves persons in three counties, Cook, Grayson, and Fannin and 31 cities. This area is characterized by light industry, cattle raising, and agriculture. Many residents from this region commute to the Dallas-Fort Worth area for employment and entertainment purposes. (More on this region's jurisdictions is found in Appendix A).

### ***Description of Existing Interoperability Contracts, Compacts, and Mutual Aid Agreements***

Interoperability Agreements: Many of this region's jurisdictions have formal agreements to provide, pay for, share, and otherwise partner for the use of interoperability channels. One prime example of this is the consortium of six cities, Colleyville, Keller, Grapevine, Southlake, Bedford, and Euless, all share the same frequencies. Frisco, Allen, and Plano share common frequencies and these are operated according to an agreement among the cities. Their system also serves the City of Wylie.

The Texas Immediate Interoperability Plan will soon be operational and available to local jurisdictions. Agencies participating in the Plan will sign an agreement requiring them to meet certain restrictions, such as monitoring certain channels, adhering to protocols, etc.

Region 40 Councils of Government are developing uniform mutual aid agreements that will specify assisting agencies, as well as communications protocols. Funding for

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this initiative is provided through Homeland Security grants to local governments and Councils of Government. Several hundred agencies in Region 40 have been contacted for input to determine the best approach to an effective mutual aid agreement.

### ***Description of the Effect of the Addition of 700 MHz Channels and Interoperability Requirements on Existing Plans***

The implementation of 700 MHz frequencies will have significant impact on local public safety agencies throughout Region 40, but particularly in the more densely populated area of the Region. Some factors for consideration include:

#### **Cost of new systems**

Local cities and counties will have to plan well ahead of time to secure the funds necessary for implementing a 700 MHz system.

#### **Time before implementation**

Even if local governments were ready to procure the new systems, how long will it be before the frequencies are available for public use. This uncertainty may be a barrier for local agencies as they try to identify funding sources.

#### **State direction**

What direction will the state of Texas wish and be able to afford to take as it examines the advantages of 700 MHz. As is the current direction with interoperability, the state is encouraging jurisdictions to adopt the VHF system. This will have certain financial and operational considerations that local agencies must examine before policy makers can commit to funding the move. Once funds have been committed to this initiative, there may be great hesitancy to commit funds to an even more expensive venture, like the 700 MHz systems.

#### **Inter-jurisdictional partnerships**

Because the move to 700 will be expensive, local agencies may see value in "partnering" so that costs may be shared. Some see this joint compact arrangement as positive, not only from the standpoint of cost effectiveness, but also as a way to use limited spectrum effectively and efficiently.

### ***Overview of Federal and State Public Safety Entities Within Region 40***

#### **Federal Law Enforcement Agencies**

##### Federal Bureau of Investigation

The FBI's primary office for this region is located in Dallas at One Justice Way, Dallas, Texas, 75220; phone, 972 559, 5000.

The Bureau has primary jurisdiction over crimes classified as federal offenses. The Dallas Office assigns senior resident agents to locations outside the Dallas area in order to respond quickly to offenses of a federal nature. These satellite offices are located as follows and cover the jurisdictions noted:

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Plano, Texas Field Office: Covers Denton, Collin, Hunt, and Rockwall Counties.

Sherman, Texas Field Office: Covers Grayson, Fannin, Lamar, and Delta Counties.

Tyler, Texas Field Office: Covers Harrison, Marion, Panola, Gregg, Rusk, Cherokee, Anderson, Rains, Wood, Upshur, Van Zandt, Henderson, and Smith Counties.

Texarkana, Texas Field Office: Covers Cass, Camp, Morris, Bowie, Titus, Franklin, Hopkins, and Red River Counties.

Fort Worth, Texas Field Office: Covers Tarrant, Hood, Erath, Palo Pinto, Parker, Wise, and Johnson Counties

### Drug Enforcement Administration

The DEA has a strong presence in the northern tier of Texas. Specifically, its main office is located in Dallas, Texas with field offices located in Amarillo, Texas; Fort Worth, Texas; Lubbock, Texas; McAlester, Oklahoma; Oklahoma City, Oklahoma; Tulsa, Oklahoma; and Tyler, Texas. The DEA 's mission is to enforce the United State's controlled substances laws and regulations.

### U.S. Citizenship and Immigration Services

The USCIS promotes national security, helps eliminate immigration backlogs, and implements immigration improvement solutions. The USCIS's main office for this region is located in Dallas, Texas at 8101 North Stemmons Freeway, Dallas, 75247. The Dallas Office serves all of Region 40's counties.

### Bureau of Alcohol, Tobacco, Firearms, Explosives

ATF is a law enforcement division within the Department of Justice. It enforces the federal laws and regulations relating to alcohol, tobacco, firearms, and explosives. Its main office is located in Dallas, Texas at 114 Commerce St., Dallas, 75248. Another office works out of Fort Worth at 6000 Western Place, Suite 40, Fort Worth, 76107. The Tyler, Texas office is located at 110 N. College St., Tyler, Texas, 75702. These offices cover all of Region 40, as well as other counties throughout the state.

### U.S. Customs and Border Protection

The U.S. Customs Service is responsible for protecting the U.S.'s borders, assessing and collecting Customs duties, interdicting and seizing contraband, enforcing Custom's laws and regulations, and conducting many other functions that protect the citizens of the U.S.

All of Region 40's jurisdictions are served out of the Houston, Texas office located at 2323 S Shepherd, #1200, Houston, 77019. Ports of Entry in

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Region 40 are located in Addison, Texas; Dallas/Fort Worth Airport, and McKinney, Texas.

### U.S. Secret Service

The Secret Service protects the President, Vice President, and their families and other designated person. Also, the Service investigates violations of laws relating to counterfeiting securities of the U.S.

The Service has offices in Dallas and Tyler Texas, which cover the Region 40 area.

### Carswell Navel Air Station-Joint Reserve Base

Carswell is located in Fort Worth, Texas and has responsibility for tracking and investigating downed aircraft or other matters of a military nature. Since aircraft fly over many parts of the Region 40 area, Carswell has a distinct need for interoperability in case of downed aircraft. The base is located at 3175 Vandenberg Ave., Fort Worth, Texas 76127.

### **State Agencies With Enforcement Responsibility**

#### Department of Public Safety

DPS serves the entire region through its many offices. It is the primary state law enforcement agency and has highway traffic safety, crime investigation, and many regulatory responsibilities. DPS has offices in each of Region 40's 42 counties. DPS communicates on VHF throughout most of the state.

#### Texas Alcoholic Beverage Commission

The TABC supervises and regulate all phases of the alcoholic beverage industry. It has enforcement responsibility in all counties of the Region 40. Many of the counties have either a regional, district, or outpost office.

#### Texas Forest Service

The Forest Service has law enforcement responsibility in matters of illegal harvesting of timber and the use of state property by unauthorized persons. The Service has direction over all forest interests within the jurisdiction of the state. It has offices in many counties of Region 40.

#### Texas Parks and Wildlife

The TPW has law enforcement responsibilities to protect the state's wildlife, natural resources, and the environment. Its headquarters is located in Austin, Texas.

#### Texas Department of Transportation

TxDOT's mission is to provide safe and effective movement of goods and people throughout the state. The Department has many offices and districts over the state, five of which serve the 42-county Region 40 area. These are located in Tyler, Dallas, Fort Worth, Atlanta, and Paris, Texas.

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## State Agency Communications

It is noted that most of the state enforcement agencies operate over VHF. The Interagency Radio Work Group comprised of state agency representatives of the Department of Transportation, Department of Public Safety, Parks and Wildlife, Forestry Service, Youth Commission, Alcoholic Beverage Commission and the Department of Criminal Justice has developed an Interoperability plan that provides local agencies the opportunity to monitor the state's VHF channel. Many of the non-metropolitan counties in Region 40 operate off of the VHF band and, as such, have a direct link to the state agencies; especially DPS, when it is necessary to communicate between agencies.

## NOTIFICATION PROCESS

### MEETING ANNOUNCEMENTS

The first meeting of the Region 40 700 MHz Public Safety Planning Committee was announced 60 days ahead of the June 26, 2002 meeting. **Notice was announced by way of the FCC website, NCTCOG website, SFFMA website, Radio Resource website, Public Safety Communications Magazine, direct mail outs to the public safety community, and to the e-mail addresses of public safety personnel.** Public safety personnel include emergency management personnel. Federal government, state government, and American Indian personnel were contacted by way of notices in the above referenced sources. Subsequent meetings were announced using the same notification process. More specifically, announcements for meetings were made:

- ❖ May 7, 2002, for June 26 meeting
- ❖ August 30, 2002 for October 2 meeting
- ❖ January 16, 2003 for February 24 meeting
- ❖ January 24, 2003 for February 24 meeting
- ❖ March 17, 2003 for May 6 meeting
- ❖ March 18, 2003 for May 6 meeting
- ❖ May 28, 2003 for July 17 meeting
- ❖ November 21, 2003 for December 2, 2003

Meeting announcements are found in Appendix B.

### COMMENT SOLICITATION

In each of the announcements, invitees were encouraged to provide input into the planning process. They were invited to serve on one or all three committees; Interoperability, Implementation/Outreach, and Planning and Technical. During the meetings, participants were encouraged to comment on a previous meeting's items and the current agenda's items. Comments were given at the time of meetings, provided ahead of meeting times on the websites, and made directly to the chairman and vice-chairman. The chairman stated at the first meeting that the Plan should represent all jurisdictions in Region 40 and that all representatives are encouraged to provide the input necessary to make an effective Plan.

Where action was needed, Robert Rules of Order voting protocols were followed.

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### **COPIES OF NOTICES, COMMENTS, AND SUBMISSIONS**

Copies of Notices are found in Appendix B  
Agendas and Meeting Summaries in Appendix C  
Invitees lists in Appendix D  
Attendance Lists in Appendix E.

### **DESCRIPTION OF COMMENT CONSIDERATION**

When comments were made at meetings, the Chairman reviewed the question/comment. Deliberation followed until the commenting party was satisfied or until additional information could be gathered and presented at the next meeting. Written comments were provided by e-mail and fax, as well. If voting was required, Roberts Rules of Order was followed.

(For more information on Committee involvement, see the following section, Regional Plan Administration.)

## **REGIONAL PLAN ADMINISTRATION**

### **821 MHz PLANNING**

The Regional Radio Communications Frequency Planning and Allocation Program has been in operation since 1988.

The purpose of the overall program is to develop and implement a plan for the effective distribution and use of 821 MHz radio frequencies, with the intent to improve public safety agencies' overall radio communications effectiveness. This is accomplished by assisting local communities and other qualifying agencies in obtaining appropriate radio frequencies. Results include: less frequency congestion and interference, safer operation of public safety agencies and more effective service to the general public.

The original scope of the Regional Radio Communications Frequency Planning and Allocation Program addressed the frequency spectrum of 821 - 824/866 - 869 MHz, and "give back" frequencies, i.e. those frequencies that are returned for reallocation.

### **700 MHz PLANNING**

A new Committee (Region 40 700 MHz Regional Planning Committee (RPC)) has been formed to address the frequencies in the 700 MHz spectrum. This includes planning, application evaluation, and frequency recommendation activities. Local governments and particularly public safety agencies will benefit.

### **OPERATIONS OF THE REGIONAL PLAN COMMITTEE**

While the Region 40 700 MHz Committee has not begun the process for opening a filing window to take requests for radio spectrum, the discussions and meetings regarding 700 MHz have been well attended by the public safety agencies within the region. Due to population densities and current scarce spectrum resources in the region, it is anticipated the majority of requests for voice/data spectrum will be from the Dallas – Fort Worth metropolitan areas. Several other areas within Region 40 may request 700 MHz channels to expand and accommodate growth of existing 800 MHz systems.

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This committee will use Robert's Rules of Order to conduct meetings. All decisions will be by clear consensus vote with each Public Safety Agency having one vote. Additional voting member considerations are listed in the Region 40 Bylaws. The meetings are open to all persons and a public input time is given for anyone to express a viewpoint or to have input to the regional planning process.

Subcommittees have been formed as needed to work on specific issues. For the initial planning of Region 40, three subcommittees were formed: **Implementation / Outreach, Interoperability, and Technology & Planning**. These subcommittees are intended to work on details of specific issues and make recommendations to the full committee. Any changes to the Regional plan must be voted on and approved by the full Regional Planning Committee. Subcommittees are open to any member. The Chair of the Regional Planning Committee appoints each Subcommittee Chair. The Region 40 subcommittees and their chairs at the time of plan development were:

### ***Technology & Planning Subcommittee***

Peter Ungar, Assistant Director / Chief Telecommunications Officer, Information Technology Solutions Department, City of Fort Worth, Texas

### ***Interoperability Subcommittee***

Gerard Eads, Communications Manager, City of Arlington, Texas

### ***Implementation/Outreach Sub-Committee***

Pam Palmisano, Captain, Collin County Sheriff's Department, McKinney Texas

Texas has elected to create a State Interoperability Executive Committee (SIEC) to oversee interoperability channels. The Texas SIEC intends to include a member of the Region 40 RPC on its committee. The Region 40 interoperability subcommittee will serve as liaison with the Texas SIEC and assist in the statewide interoperability planning process. The RPC applauds the State of Texas by including RPC representation on the SIEC.

The Region 40 Interoperability subcommittee duties are as follows:

- ❖ Work with the Texas SIEC in the development of a statewide interoperability plan;
- ❖ Load interoperability channel assignments in CAPRAD
- ❖ Review interoperability plans and applications for conformance to the state plan.

### **FULL COMMITTEE MEETING**

A minimum of one (1) meeting per year will be held of the full committee. This will be announced and advertised 90 days in advance by the Committee Chair. This meeting will be held in the month of January. The Chairperson can call an additional meeting at a time when he/she deems necessary. Due to its central location, the North Central Texas Council of Governments (NCTCOG) will host the meeting.

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Beginning two years after Federal Communications Commission approval of this Regional Plan, the Chair shall call a meeting of the Committee to elect a Chair, Vice Chair and Secretary to serve for two years. There is no limit to the number of terms that may be served.

If the Chair is unable to serve a complete term the Vice Chair will serve as Chair until the next election meeting. If both the Chair and Vice Chair are unable to serve their full terms one or the other should strive to call a special meeting of the Committee to elect replacements. If for some reason, neither the Chair nor the Vice Chair can call the special meeting; the State or any County within the region may call for a special meeting, giving at least 90 days notice, to elect replacements.

## **PROCEDURE FOR REQUESTING SPECTRUM ALLOTMENTS**

After FCC approval of the Plan, Region 40 will announce a filing window. Agencies desiring a spectrum allotment shall submit a written request to the Chair indicating their need for spectrum.

To request channels from Region 40, the Applicant must submit a copy of the FCC application to the Region 40 Coordinator for dissemination to the Committee and Chairman. Applicants must also submit an interference prediction map using TIA/EIA TSB 88-a (or latest version) guidelines. The map must show all interference predicted. If an application is objected to by an agency with licensed, or pre-licensed / region approved co-channel or adjacent channel allotments, the objecting agency may request that field tests be done to verify interference signal levels. Coverage area service contours should meet values designated in the Interference Protection section of this document.

The requests will be considered, providing that harmful interference is not caused to existing users or incumbent broadcasters. The technical parameters to determine the extent of any possible interference are given in the Interference Protection section of this Plan. Agencies will need to provide the Committee with a full justification for the additional spectrum. *Insufficient justification will be handled in accordance with the guidelines in the System Implementation section of the plan.* All requests will be considered on a first come, first served basis. *Requests arriving within the same timeframe will be processed in accordance with the guidelines in the Priority For Receiving Spectrum Allocations section of the plan.*

The Chair, or a designee, will distribute the request to all other agencies with allotments in the plan for review and approval. An agency may protest approval within 30 calendar days of receipt. *Protests will only be considered if an agency, or the Chair, can show harmful interference is likely based on the input submitted by the agency requesting the new allotment or if the allotment does not conform to plan criteria.*

If the parties cannot resolve the issues and so inform the Chair within 14 calendar days of the protest, then a special full Committee meeting will be scheduled to consider and vote on the protest. Absent a protest, the allocation will be approved by the Chair and forwarded to the frequency coordinator of the applicant's choice for coordination and submission to the FCC.

## **PROCEDURE FOR FREQUENCY COORDINATION**

The Region 40 Planning Committee will utilize and refer to the frequency sort initiated by the National Public Safety Telecommunications Council (CAPRAD) pre-coordination database. The Region 40 Regional Planning Committee has the ability to accept recommendations and

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the authority to change the original frequency allotment. In order to keep the most effective frequency allotments within Region 40, an annual review of the allotments will be made by the full committee and recommended changes will be voted on. Any changes to the regional allotments must be approved at a meeting of the full Regional Planning Committee. If approved, the Chairperson will update the CAPRAD database and file a plan amendment indicating the approved changes with the Federal Communications Commission.

The pre-coordination database will develop channel allotments in each county within Region 40 using criteria such as current population, census data, height above average terrain (HAAT), and public safety use curves generated by the Public Safety Wireless Advisory Committee to provide spectrally efficient frequency allotments. It is anticipated that this database will be operational with a full frequency sort by the opening of the Region 40 filing window.

Applicants must submit the initial FCC application to the Regional Planning Committee so the committee can ensure the application complies with all elements of the regional plan. If approved, the Regional Planning Committee will make sufficient notification to the applicant's selected FCC certified Frequency Coordinators through the NPSTC database. This process meets the requirements of Rule 90.176 (c).

### ADJACENT REGION SPECTRUM ALLOCATION

Region 40 shares borders with seven other Regions:

- Region 04, Arkansas,
- Region 18, Louisiana,
- Region 34, Oklahoma,
- Region 49, Central Texas,
- Region 50, West Texas,
- Region 51, East Texas – Houston,
- Region 52, Texas Panhandle

Region 40 will coordinate channel allocations with all its bordering regions by using the NPSTC CAPRAD database. This tool will ensure adjacent state notification as well as FCC Certified Frequency Coordinator notification.

Region 40 will provide data to the National Public Safety Telecommunications Council (NPSTC) Pre-coordination Data Base to assist with adjacent region coordination.

### INTRA-REGIONAL DISPUTE RESOLUTION

In the event an agency disputes the ***implementation of this plan*** or parts of this plan after FCC approval, the agency must notify the Chair of the dispute in writing. **This section does not apply to protests over new spectrum allotments (see 700 Mhz Planning section).** The Chair will attempt to resolve the dispute on an informal basis. If a party to the dispute employs the Chair, then the Vice Chair will attempt resolution. In such cases the Chair shall be deemed to have a conflict of interest and will be precluded from voting on such matters. If after 30 days the dispute is not resolved, the Chair (or Vice Chair) will send the dispute to a Dispute Resolution Committee, previously appointed by the Chair and consisting of a member from the State of Texas and at least five members from the jurisdictions in Region 40. That committee will select its own Chair.

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The Regional Plan Chair (or Vice Chair) will represent the Region in presentations to the Dispute Resolution Committee. The Committee will hear input from the disputing agency, any affected agencies, and the Region Chair. The Committee will then meet in executive session to prepare a recommendation to resolve the dispute. Should this recommendation be unacceptable to the disputing agency/agencies, Region 40 will forward the matter to the Regional Planning Oversight Committee (RPOC) for additional review and attempted resolution. If the disputing agency remains dissatisfied with the RPOC decision, the dispute and all written documentation will be forwarded to the Federal Communications Commission for final resolution.

The RPOC may be used to resolve inter-regional disputes, also.

### INTEROPERABILITY CHANNELS

Interoperability between federal, state and local governments during daily, emergency and disaster operations will normally take place on the interoperability channels identified in the state and the national plan. The RPC has determined that sufficient spectrum has been allocated for interoperability in the national plan to meet the current and future needs of the region. Additionally, through the use of an S-160 and MOU or equivalent agreement(s), a licensee may permit federal agency use of non-federal communication system spectrum if deemed appropriate. Such use, on other than interoperability channels, is to be in full compliance with FCC requirements governing the use of spectrum.

A Sharing Agreement Template follows in Appendix H.

#### STATE INTEROPERABILITY EXECUTIVE COMMITTEE

The State of Texas will be responsible for the following:

- ❖ use the Incident Command System (ICS) as a guideline in developing their regional interoperability plans.
- ❖ hold the license on interoperability channels for all infrastructure and subscriber units within The State of Texas.
- ❖ have oversight of the administration and technical parameters of the infrastructure for the interoperability channels within the state.
- ❖ administer the interoperability channels via a State Interoperability Executive Committee (SIEC) under NCC guidelines. Backbone issues will be deferred to the SIEC.

#### TACTICAL CHANNELS

All mobile and portable units operating in this region should have interoperability channels, both repeat and direct modes, programmed into each unit. The radio must be programmed with the minimum number of channels called for in the NCC guidelines or as the SIEC specifies. The channel display will be in accordance with the NCC guidelines that have common alphanumeric nomenclature to avoid any misinterpretation of use.

All interoperability channels, except as described below, shall be used for conventional-only operation. Normally, users will 'call' a dispatch center on one of the "Calling Channels" and be

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assigned an available tactical channel. Deployable narrowband operations (voice, data, and trunking) shall be afforded access to the same pool of channels used for similar fixed infrastructure operations. In the event of conflict between multiple activities, prioritized use shall occur. Use prioritization shall be:

Disaster and extreme emergency operations for mutual aid and interagency communications.  
Emergency or urgent operation involving imminent danger to life or property.  
Special event control, generally of a preplanned nature (including Task Force operations).

## **MONITORING OF CALLING CHANNELS**

It is desired that the State of Texas take responsibility for monitoring the interoperability calling channels. This would include assignment of channels to mutual aid incidents as required. The SIEC will develop operational guidelines for this function.

## **ENCRYPTION**

Use of encryption is prohibited on "Call In" channels and discouraged on all other interoperability channels. If encryption must be used, the standardized encryption algorithm for use on the interoperability channels will be TIA/EIA IS AAAAA Project 25 DES encryption protocol.

## **DEPLOYABLE SYSTEMS**

Region 40 supports the use of deployable systems, both conventional and trunked. Deployable systems are prepackaged systems that can deploy by ground or air to an incident to provide additional coverage and capacity on interoperability channels.

General Public Safety Service Channels shall be made available for "deployable" equipment used during disasters and other emergency events that place a heavy, unplanned burden upon in-place radio systems. Use of deployable conventional and trunked interoperability systems will be coordinated so as to minimize interference with permanently installed conventional interoperability infrastructure.

It is expected that the tactical channels set aside for trunked operation will be heavily used by deployable systems. Therefore, the tactical channels cannot be assigned to augment general use trunked systems.

## **DATA ONLY USE OF THE I/O CHANNELS**

Narrowband data-only interoperability operation on the Interoperability channels on a secondary basis shall be limited to two specific 12.5 kHz channel sets. One set is defined by 7GTAC 21 and the other by 7GTAC 51.

## **DIRECT (SIMPLEX) MODE**

In direct (simplex) mode, transmitting and receiving on the output (transmit) side of the repeater pair for subscriber unit-to-subscriber unit communications at the scene does not congest the repeater station with unnecessary traffic. However, should someone need the repeater to communicate with the party who is in "direct" mode, the party would hear the repeated message, switch back to the repeater channel, and join the communications. Therefore, operating in direct (simplex) mode shall only be permitted on the repeater output side of the voice I/O channel sets.

Common Channel Access Parameters

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Common channel access parameters will provide uniform I/O communications regardless of jurisdiction, system, manufacturer, etc. This national requirement should apply to base stations and subscriber units. This should apply to fixed or temporary operations. This should apply to tactical, vice, or other mutual aid conventional I/O use.

### COMMON CHANNEL PARAMETERS

All voice I/O shall utilize the default values (ANSI/TIA/EIA-102, BAAC-2000, approved April 25, 2000) provided in every radio regardless of manufacturer. Any common channel access parameters not provided shall be programmed accordingly. These parameters include the following:

P25 Network Access Code - \$293 (default value)  
P25 Manufacturers ID - \$00 (default value)  
P25 Designation ID - \$FFFFFF (designates everyone)  
P25 Talkgroup ID - \$0001 (default value)  
P25 Message Indicator \$000000... 0, out to 24 zeros (unencrypted)  
P25 Key ID - \$0000 (default value)  
P25 Algorithm ID - \$80 (unencrypted)

Any deviation from \$293 will not be permitted unless the SIEC (or the RPC) can demonstrate by Plan amendment through the FCC-approved process, that the intent of \$293 will be preserved on ALL conventional voice I/O channels – transmit and receive.

### INTERFERENCE PROTECTION

The frequency allotment list will be based on an assumption that the systems will be engineered on an interference-limited basis, not a noise floor-limited basis. Agencies are expected to design their systems for maximum signal levels within their coverage area and minimum levels in the coverage area of other co-channel users. Coverage area is normally the geographical boundaries of the Agency(s) served plus an area three to five miles beyond.

Systems should be designed for minimum signal strength of 40 dB $\mu$  in the system coverage area while minimizing signal power out of the coverage area. TIA/EIA TSB88-A (or latest version) will be used to determine harmful interference assuming 40 dB $\mu$ , or greater, signal in all systems coverage areas. This may require patterned antennas and extra sites compared to a design that assumes noise-limited coverage.

To maximize spectrum utilization, receivers of the highest quality must be used in systems. Given a choice of radios to choose from in a given technology family, agencies should use the units with the best specifications. This plan will not protect agencies from interference if their systems utilize low quality receivers.

### ALLOCATION OF NARROWBAND “GENERAL USE” SPECTRUM

All agencies requesting spectrum during the initial filing window (see the Notification Process section of the plan) will be allocated channels, if plan requirements are met. Allotments have been made in 12.5 KHz groups. The Region 40 Technology and Planning Subcommittee recommends that allocations be made on the basis of one 12.5 KHz channel for each voice channel request and two 12.5 KHz channels

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for each narrowband data request. This recommendation is approved by the full Committee and is part of this plan.

It is the goal of the FCC for one voice channel per 6.25 KHz of spectrum. Applicants should acknowledge the deadline of 12/31/2016 for migration to 6.25 KHz, or 6.25 KHz equivalent efficiencies, when applying for channels in Region 40. For narrowband mobile data requests, one mobile data channel will consist of four (4) 6.25 KHz channels/one (1) 25 KHz channel. As 6.25 KHz migration continues, "orphaned" 6.25 KHz channels can be allocated to agencies to maximize spectrum re-use.

### **ORPHANED CHANNELS**

The narrowband pool allotments will have a channel bandwidth of 12.5 kHz. These 12.5 kHz allotments are characterized as "Technology Neutral" i.e. able to accommodate multiple technologies utilizing multiple bandwidths. If an agency chooses a technology that requires greater than 12.5 kHz channel bandwidth, a channel allotment could be brought in from an adjoining county using the procedures outline below. Frequencies can be aggregated to a maximum bandwidth of 25 kHz absent a waiver. If agencies choose a technology that requires less than 12.5 kHz channel bandwidth for their system, there is the potential for residual, "orphaned channels" of 6.25 kHz bandwidth immediately adjacent to the assigned channel. An orphan channel may be used at another location within the county area where it was originally approved, if it meets co- and adjacent channel interference criteria.

When in the best interest of public safety communications and efficient spectrum use within the Region, the Regional Review Committee shall have the authority to move these orphaned channel allotments, and/or co-/adj-channel allotments affected by the movement of orphan channels, to other areas throughout the Region, as deemed necessary to retain spectrum efficiency and/or minimize co-channel or adjacent channel interference. If it is required to move a full 12.5 kHz channel (or a portion of a channel) allotment to a location outside of the county area in which it was originally approved, the Regional Review Committee will review the application as to whether or not the full/partial channel allotment meets frequency coordination guidelines and should be moved to accommodate an application at hand. The movement of the full/partial channel allotments can be approved on a majority vote of Regional Review Committee members in attendance at a special or regular meeting of the Committee.

If the movement of a full/partial channel allotment is deemed in the best interest of the public safety community, and the relocation requires moving a channel a distance of less than 10 miles outside of its original county area boundaries, there will be no plan amendment required. If the movement of a full/partial channel allotment is deemed in the best interest of the public safety community, and the relocation requires the movement of a channel to a location more than 10 miles outside of its original county area boundaries, the Region will be required to amend the regional plan and submit the amendment to the FCC along with obtaining adjacent Region concurrences for the plan update.

If the movement of a full/partial channel allotment is deemed in the best interest of the public safety community, and the relocation requires moving a channel from one Region to another in the interest of inter-regional sharing and cooperation, each Region shall amend its plan and submit the amended plan to the FCC accompanied with adjacent Region(s) concurrences from the participating Region(s).

Region 40 encourages small agencies to join multi-agency systems as they promote spectrum efficiency and meet small and large agency capacity needs.

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### **SYSTEM IMPLEMENTATION**

Not all areas in Region 40 are capable of immediately implementing systems using 700 MHz public safety channels. With no restrictions in implementation due to incumbent co-channel broadcasters in the region, implementation of systems will adhere to guidelines in FCC rule 90.529 (b) and (c). PAX TV station Call Sign KPXD, located in Cedar Hill, Texas utilizes analog TV channel 68. Channel 68 is part of the 700 MHz public safety allocations. Public safety channel availability in the Dallas Fort Worth Metroplex area of Region 40 will reflect this incumbent TV channel in the NPSTC pre-coordination frequency sort for Region 40.

An Agency may file a request with the Regional Chairperson for an extension of time to implement. The request should include all details describing why the agency has not implemented and a new implementation schedule. If necessary, the Regional Chairperson will call a special meeting to determine if the allotment should be extended or if the agency should reapply to the committee for another allotment.

### **PRIORITY FOR RECEIVING SPECTRUM ALLOCATIONS**

Due to channel availability, it is expected all agencies within Region 40 asking for 700 MHz allotments should receive allotments as requested. A priority for the Region 40 Planning Committee is to promote multi-agency regional systems to enable interoperability between agencies, particularly in the Metropolitan area of Dallas-Fort Worth.

### **THE “REGION 40 CHANNEL ALLOTMENT” TABLE IS FOUND AS APPENDIX I.**

When applying for new 700 MHz channels, the Regional Planning Committee expects applicants to relinquish an amount of currently used spectrum (“give back channels”) and make that spectrum again available for use within the region. This currently licensed spectrum may be in any public safety band. Agencies with existing licensed 800 MHz systems that are requesting 700 MHz channels for system expansion may not fall under this requirement.

The number of channels an applicant may retain, plus the number of 700 MHz channels requested, will be an amount required to provide minimum interoperable communications to surrounding jurisdictions. If the Region 40 Regional Review Committee considers the number of channels relinquished by the applicant insufficient or the number of requested 700 MHz channels to be excessive, the application for 700 MHz channels will not be approved by the Regional Review Committee and will be returned to the applicant for additional review. An opportunity will be allowed for the applicant to provide additional justification to support the agency’s requests. The Committee will be the deciding body for application approval and plan interpretation. It must be stressed that the Committee supports and promotes multi-agency systems that allow for region-wide area coverage within the region.

### **PRIORITY MATRIX**

In the event that future spectrum requests conflict and all cannot be accommodated, the following matrix will be used to determine priority for allotment. This matrix will only be used if two requests are received in the same time frame. Otherwise, the first come first served procedure of the 700 MHz planning section of the document will be used.

Priority is given to users fundamentally involved with the protection of Life and Property

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Priority is given to shared multi-agency systems. These systems can be either a group of separate departments within a large agency or groups of agencies operating together under a large blanket agency.

Immediate documented funding must be available to construct the system using these 700 MHz frequencies.

This process, if required, will be treated as a dispute, and the procedures outlined in the Interoperability Subcommittee Section of the plan will apply while using the above criteria to allot the frequencies.

### **COORDINATION WITH ADJACENT REGIONS**

The regions adjacent to Region 40 are listed below:

Region 04, Arkansas  
Region 18, Louisiana  
Region 34, Oklahoma  
Region 49, Central Texas  
Region 50, West Texas  
Region 51, East Texas - Houston  
Region 52, Texas Panhandle

700 MHz Regional Planning Committees have been convened in all adjacent regions. The Chair has sent final copies of this Plan to the Chair of each adjacent Region.

The CAPRAD pre-coordination database will show those channels available that will not interfere with Region 40 allotments or systems.

Region 40 has requested concurrent approval Region 04, Region 18, Region 34, Region 49, Region 50, Region 51 and Region 52

If an adjacent region has difficulties satisfying inter-regional requests due to channel allocation within Region 40, this committee pledges to work with that adjacent region to resolve any issues that benefit public safety communications.

### **INTER-REGIONAL DISPUTE RESOLUTION**

Region 40 has received concurrent approval of its Inter-Regional Dispute Resolution by way of assigned agreements from Region 04, Region 18, Region 34, Region 49, Region 50, Region 51 and Region 52 (Appendix K – Inter-Regional Coordination Agreement)

### **PROCESS FOR EVALUATING APPLICANTS' NEEDS AND COMMITTEE'S RESPONSE**

The process for evaluating Applicants' communications needs and how the Review Committee would respond is explained in the Interference Protection section of the plan, as well as the following: System Implementation, Priority for Receiving Spectrum Allocations, and Priority Matrix.

## **Region 40 700 MHz Plan / Central and North East Texas**

Gerard Eads, Chair / Voice: 817-459-6151/ Email: Gerard.Eads@arlingtontx.gov

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Agencies' applications for 700 MHz frequencies will be forwarded to the Region 40 Coordinator at the North Central Texas Council of Governments; 616 Six Flags Dr., Arlington, Texas, 76005. Application review will be conducted electronically or by convening the Committee. will be announced 30-60 days ahead of time so that an Applicant may clear calendars and prepare to defend the application. Copies of an application will be mailed or if the application appears problem-free, sent electronically via email to the Committee members for review. Once the Committee has deliberated and is satisfied that the application conforms to Region 40 rules, the application will be returned to the Applicant with a letter from the Region 40 Coordinator recommending approval. It is the Applicant's responsibility to forward the application with the letter of recommendation to the Applicant's selected frequency coordinator with a letter from the Coordinator

If the application is not approved or "sent back" for additional work, the Committee, upon receipt of the revised application, will discuss the revisions with the Applicant telephonically or by e-mail. If the revised application is too complex or problematic, the Committee will meet to deliberate the issues. In each instance, telephonic, electronic, or in a Committee meeting, the Applicant will be able to defend the application's revisions.

The meeting will be recorded and a hard-copy summary will be kept for future purposes. The Applicant will be notified by letter of the Committee's recommendation. Documentation of how the matrix was applied will be included in the meeting summary.

A running tabulation will be kept of each applicant's request to determine if the Applicant's request was successful.

### **ADJACENT REGION COORDINATION**

(Please see the Coordination With Adjacent Regions section of the plan for an explanation of this topic).

### **CERTIFICATION**

I hereby certify that all planning committee meetings, including subcommittee and executive committee meetings were open to the public. A summary of the Committees' deliberations pursuant to adopting this Plan are found in the meeting Summaries; Appendix C: Agenda and Meeting Summaries.

Gerard Eads, Chairman, Region 40