PUBLIC NOTICE

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PUBLIC SAFETY 700 MHz BAND – INTEROPERABILITY SPECTRUM
ANNOUNCEMENT OF ADMINISTRATION DECISIONS

WT Docket No. 96-86

By this *Public Notice*, the Wireless Telecommunications Bureau accepts and approves the decisions made by each state, district or territory regarding the administration of the 2.6 megahertz of spectrum in the 764-776 and 794-806 MHz band (700 MHz public safety band) designated for interoperability communications (interoperability spectrum).[1]

By way of background, in 1998, the Commission adopted a band plan for the 700 MHz public safety band.[2] With respect to the interoperability spectrum, in 2001, the Commission decided that the states, in the first instance, should be responsible for administration of the interoperability channels. In light of the central role that states provide in managing emergency communications, the Commission concluded that the states are best suited for administering the interoperability spectrum and that state-level administration would promote safety of life and property through seamless, coordinated communications on the interoperability spectrum.[3] However, recognizing that some states may not want to administer this spectrum, the Commission established safeguards to ensure that an entity would be responsible for administering the interoperability spectrum. The Commission also recommended, but did not require the formation of State Interoperability Executive Committees (SIEC) to administer the interoperability spectrum.

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[1] The Commission has defined "interoperability" as "an essential communications link within the public safety and public service wireless communications systems which permits units from two or more different entities to interact with one another and to exchange information according to a prescribed method in order to achieve predictable results." Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communications Requirements from the Year 2010, WT Docket 96-86, *First Report and Order and Third Notice of Proposed Rulemaking,* 14 FCC Rcd 152, 189-190 ¶ 76 (1998).

[2] *Id*. at 154 ¶ 2 (1998).

[3] *See* Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communications Requirements Through the Year 2010, WT Dockets No. 96-86, *Fourth Report and Order and Fifth Notice of Proposed Rule Making*, 16 FCC Rcd 2020, 2025-26 ¶ 11-13 (2001).

Each state was required to notify the Commission by December 31, 2001, of its decision to administer the interoperability spectrum by establishing a SIEC or its equivalent. If a state did not notify the Commission of a decision by December 31, 2001, then effective January 1, 2002, the 700 MHz Regional Planning Committee(s) (RPC) would assume the responsibility for administering the interoperability spectrum. On November 9, 2001, the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Division sent reminder letters to each state.[4]

This Public Notice reports the results of the decisions made by the states through either their action or inaction regarding administration of the interoperability spectrum. We note that thirty-three states and the District of Columbia elected to use either existing state entities to serve in the capacity of a SIEC or indicated their intention to establish an SIEC in the future.[5] Three states elected to jointly share this responsibility with their respective 700 MHz RPC.[6] In addition, four states specifically designated their RPC as the entity to perform the described functions of a SIEC.[7] Finally, thirteen states, Puerto Rico and the U.S. Virgin Islands did not respond or otherwise indicated how they planned to proceed with respect to the planning and administration of the interoperability spectrum on or before December 31, 2001.[8] Consequently, as we noted above, the applicable Regional Planning Committee(s) will have the responsibility for and administering the interoperability spectrum.[9]

A list containing interoperability spectrum administration point of contact information is available at http://wireless.fcc.gov/publicsafety/700MHz/interop.html. For further information, to send point of contact updates, or to request SIEC meeting announcements to be posted to the Commission's 700 MHz public safety web site, contact Jeannie Benfaida, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, at (202) 418-0680, TTY (202) 418-7233, or via email to jbenfaid@fcc.gov.

Action by the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.

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[4] *See* Letter from D'wana R. Terry, Chief, Public Safety and Private Wireless Division, WTB (dated Nov. 9, 2001). This letter served as reminder of two matters related to states' use of the 700 MHz public safety band: (a) application for the 700 MHz state geographic license and (b) each states responsibility to notify the Commission of its decision regarding the administration of interoperability spectrum.

[5] States electing to manage the interoperability spectrum either by forming an SIEC or by using an existing state entity to perform the functions of a SIEC are as follows: Alaska, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Hawaii, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin, and the District of Columbia.

[6] States electing to jointly share the responsibility for the planning and management of the interoperability spectrum are Iowa, New Hampshire and Tennessee.

[7] States delegating the management of the interoperability spectrum to their respective 700 MHz Regional Planning Committees are Illinois, Indiana, Montana and Nebraska.

[8] We received no responses from the following states, Puerto Rico and the U.S. Virgin Islands: Alabama, Colorado, Georgia, Idaho, Michigan, Minnesota, New Mexico, Ohio, Oklahoma, South Dakota, Vermont, West Virginia, Wyoming.

[9] *See Fourth R&O* at 2026 ¶ 13.