

## COORDINATION AND DISPUTE RESOLUTION PROCEDURES BETWEEN 700 MHZ REGIONAL PLANNING COMMITTEES OF REGION 8 AND REGION 19

### I. INTRODUCTION

This is a mutually agreed upon Inter-Regional Coordination Procedures and Dispute Resolution Procedures Agreement by and between the 700 MHz Regional Planning Committees of:

- Southern New York State and New Jersey State Region - Region 8 (hereinafter Region 8), and
- New England States Region - Region 19 (hereinafter Region 19).

These procedures will be used when an applicant for 700 MHz spectrum has a proposed service area *or interference contour* which extends into an adjacent Public Safety Region(s) of the Region receiving the application. Such applications will be approved by the affected Region(s). Service area shall normally be defined as the area included within the geographical boundary of the applicant, plus three (3) miles. *Interference contour shall normally be defined as a 5 dBu co-channel contour and a 30 dBu adjacent channel contour.* Other definitions of service area *or interference* may be justified with an accompanying Memorandum of Understanding (MOU) or other application documentation between involved agencies. Each Region retains the right to accept or reject other definitions.

### II. COORDINATION PROCEDURES

The following is the guidelines for inter-regional coordination which is acceptable by Region 19 .

- a. Each Region will announce when it is accepting applications and the parameters that it has established filing applications.
- b. Applications by eligible entities will be accepted within each Region's parameters.
- c. Regional review and coordination of applications will be conducted. The review will include a technical review resulting in assignment of channels.
- d. After 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. This information will be sent to the adjacent Regional chairperson(s) using the CAPRAD database.
- e. The adjacent Region will review the application. If the application is approved, this Region will send a letter of concurrence, via the CAPRAD database, to the

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initiating Regional chairperson within thirty (30) calendar days of receipt of the application by the adjacent Region.

### III. DISPUTE RESOLUTION

A. If the adjacent Region(s) does not approve the request, the adjacent Region shall document the reasons for partial or non-concurrence, and respond, via email, to the initiating Region. Response will be sent within thirty (30) calendar days of receipt of the application by the adjacent Region. The initiating Region will attempt to modify the application to satisfy the objections of the adjacent Region.

B. 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 to attempt to resolve the dispute. The working group will be convened within thirty (30) calendar days of the date that the initiating Region received notice from the adjacent Region. The working group shall then report its findings within thirty (30) calendar days to the Regional chairpersons via email through the CAPRAD database. Findings may include, but not be limited to:

- Unconditional concurrence;
- Conditional concurrence contingent upon modification of applicant's technical parameters; or
- 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.

C. If the working group does not resolve the dispute, then the matter shall be forwarded for evaluation to the National Plan Oversight Committee (NPOC), of the National Public Safety Telecommunications Council. 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 NPOC will, within thirty (30) calendar days, report its recommendation(s) to the Regional chairpersons via the CAPRAD database. The NPOC's decision may support either of the disputing Regions or it may develop a proposal that it deems mutually advantageous to each disputing Region.

D. When adjacent Region concurrence has been secured, and the channel assignments do not change the Region's current Federal Communications Commission (FCC) 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 FCC.

E. Where adjacent Region concurrence has been secured, and the channel assignments changes the Region's current FCC approved channel assignment matrix, then the initiating Region shall file with the FCC a *Petition to Amend* its current frequency matrix, to reflect the new channel assignments. The initiating Region will send a copy of the *Petition* to the adjacent Regional chairperson(s).

F. Upon the FCC's 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). The initiating Region then advises the applicant(s) that they may forward their applications to the frequency coordinator for processing and filing with the Commission.

**IV. CONCLUSION**

A. This agreement contains the entire understanding between Region 8 and Region 19 and supercedes any and all prior understandings, negotiations and agreements, whether written or oral, between them respecting subject matter herein.

B. The parties each bind themselves, successors, assigns and legal representatives with respect to all covenants of this Agreement.

C. This Agreement becomes effective upon the date of the last signatory's signature.

\_\_\_\_\_  
Region 8 Authorized Representative and Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Region 19 Authorized Representative and Title

\_\_\_\_\_  
Date

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## COORDINATION AND DISPUTE RESOLUTION PROCEDURES BETWEEN 700 MHZ REGIONAL PLANNING COMMITTEES OF REGION 19 AND REGION 30

### I. INTRODUCTION

This is a mutually agreed upon Inter-Regional Coordination Procedures and Dispute Resolution Procedures Agreement by and between the 700 MHz Regional Planning Committees of:

- New England States Region - Region 19 (hereinafter Region 19), and
- Northern New York State Region - Region 30 (hereinafter Region 30).

These procedures will be used when an applicant for 700 MHz spectrum has a proposed service area *or interference contour* which extends into an adjacent Public Safety Region(s) of the Region receiving the application. Such applications will be approved by the affected Region(s). Service area shall normally be defined as the area included within the geographical boundary of the applicant, plus three (3) miles. *Interference contour shall normally be defined as a 5 dBu co-channel contour and a 30 dBu adjacent channel contour.* Other definitions of service area *or interference* may be justified with an accompanying Memorandum of Understanding (MOU) or other application documentation between involved agencies. Each Region retains the right to accept or reject other definitions.

### II. COORDINATION PROCEDURES

The following is the guidelines for inter-regional coordination which is acceptable by Region 19 .

- f. Each Region will announce when it is accepting applications and the parameters that it has established filing applications.
- g. Applications by eligible entities will be accepted within each Region's parameters.
- h. Regional review and coordination of applications will be conducted. The review will include a technical review resulting in assignment of channels.
- i. After 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. This information will be sent to the adjacent Regional chairperson(s) using the CAPRAD database.
- j. The adjacent Region will review the application. If the application is approved, this Region will send a letter of concurrence, via the CAPRAD database, to the

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initiating Regional chairperson within thirty (30) calendar days of receipt of the application by the adjacent Region.

### III. DISPUTE RESOLUTION

A. If the adjacent Region(s) does not approve the request, the adjacent Region shall document the reasons for partial or non-concurrence, and respond, via email, to the initiating Region. Response will be sent within thirty (30) calendar days of receipt of the application by the adjacent Region. The initiating Region will attempt to modify the application to satisfy the objections of the adjacent Region.

B. 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 to attempt to resolve the dispute. The working group will be convened within thirty (30) calendar days of the date that the initiating Region received notice from the adjacent Region. The working group shall then report its findings within thirty (30) calendar days to the Regional chairpersons via email through the CAPRAD database. Findings may include, but not be limited to:

- Unconditional concurrence;
- Conditional concurrence contingent upon modification of applicant's technical parameters; or
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E. When adjacent Region concurrence has been secured, and the channel assignments do not change the Region's current Federal Communications Commission (FCC) 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 FCC.

E. Where adjacent Region concurrence has been secured, and the channel assignments changes the Region's current FCC approved channel assignment matrix, then the initiating Region shall file with the FCC a *Petition to Amend* its current frequency matrix, to reflect the new channel assignments. The initiating Region will send a copy of the *Petition* to the adjacent Regional chairperson(s).

