

NPSAC REGION 43 REGIONAL REVIEW COMMITTEE

APPLICATION REVIEW PROCEDURES

As Modified June 1993

PURPOSE

The purpose of these Procedures is to outline the material to be included in an application for frequencies covered by the Region 43 Plan and to explain the Regional Review Committee's application review processes. It is intended as a guide to allow Applicants to make sure their initial application package is complete so it can receive timely treatment by the Regional Review Committee (RRC).

MATERIAL TO BE PROVIDED IN A COMPLETE APPLICATION PACKAGE

It is the practice of the RRC to have all the Committee members evaluate every application for its technical merit and conformance to the Plan. Therefore, each Applicant must submit the original and eleven (11) copies of the following material to either the Western Washington or the Eastern Washington APCO Frequency Advisor, depending on the location of the Applicant. Each of the 11 copies are to be packaged in an envelope suitable for mailing with proper first class postage affixed. Do not seal or attach address or return address labels to these envelopes. The Frequency Advisor will distribute the material to Committee members.

The Application package should include:

1. Properly completed license application forms (FCC Form 574 and APCO Form FDR-3).
2. A system coverage exhibit which consists of one or more maps or overlays showing the computer calculated 5, 25 and 40 Dbu coverage contours for each proposed site in the application. These exhibits should also clearly show the boundaries of the Applicant agency's geo-political boundaries or the service area, which ever is larger, and any County boundaries within the exhibit. It is preferred that all maps or coverage contour overlays should be presented on 1:250,000 scale USGS maps, but 1:500,000 scale USGS maps and overlays can be used if necessary. All maps shall include a title block indicating the following:

- name of the Applicant agency,

- the name of each site identified on the map and each site's;

latitude, longitude and elevation,

the height of any support tower or structure at the site,

the height above ground level of the transmit antenna, and the antenna's height above average terrain, and effective radiated power.

Also included must be a description of the patterning of the proposed antenna system and the specification sheet(s) for the proposed antenna(s).

When necessary, the Frequency Advisors will use the Bullington inflection method and the 30 second elevation data base to confirm an application's coverage predictions. Propagation will be calculated at the 95% level with 5 degree radials and elevations calculated at .2 mile increments on each radial. A factor of 12 Db will be included to account for foliage and urban clutter.

3. A complete implementation schedule for the proposed system.
4. A funding statement or resolution signed by the governing council, agency, executive or appropriate official with authority indicating that sufficient funds are available or will be made available to meet the proposed implementation schedule.
5. Proposed loading of each frequency requested.
6. A list of all existing frequencies, and their use, that are licensed to the Applicant requesting the new frequencies. Also any frequencies you plan to give back and the schedule when they will be available.
7. A statement on how the Applicant will support the National Interoperability and State-wide Tactical channels.
8. A narrative discussing any difference between the Applicant's service area and the predicted system coverage area and what steps will be taken to eliminate interference to other jurisdictions.
9. A daytime telephone number of a person or persons who can answer technical and/or administrative questions about the application.
10. Any other material required by FCC or APCO rules to make the application complete.

The Frequency Advisor will review the application package to assure that it is complete. Incomplete applications will be returned to the Applicant. Complete application packages will be date stamped (which will become the date of application) and the 11 stamped envelopes will be used to forward copies of the complete application package to the full Committee for review.

APPLICATION REVIEW PROCESS

Upon receipt of an application, each Committee member will begin to evaluate the information. Three members of the Committee are specifically designated as an application review sub-committee. These three individuals, along with the zone representative of the zone in which the Applicant is geographically located, will begin a detailed review of the application and supporting documents. Specific concerns, questions and comments from Committee members will be directed to the chair of the review sub-committee so these issues can be incorporated into the overall review of the application.

During the review of an application it may be necessary to request further information and clarification from the Applicant and/or from other interested parties. This may be as simple as the exchange of written material or may involve one or more appearances before the Committee to further explain various aspects of the proposed system. The goal of this interactive process is to assure that the committee has all the information it needs to render a fair decision on the application.

The Committee and the Applicant will work diligently during this process so that excessive periods of time do not elapse. If by the end of 90 days from the date of application the Committee determines that it still lacks adequate information to render a decision, the Applicant will be notified that the application will be rejected as incomplete in 30 days unless the Applicant can show valid reasons to the Committee for the delay. The Committee may agree to extend the review period up to a maximum of 180 days from the date of application if they determine it is appropriate under the circumstances.

Since Region 43 currently has an open application policy (as opposed to an application "time windows" approach), the Committee may receive an application for frequencies that is in competition for frequencies under consideration and in the review and information exchange process. If this occurs the Committee Chair will inform all Applicants and Committee members of the situation and a meeting will be scheduled with all parties to discuss possible solutions to the conflict. The guiding principle to be used by the Committee during these discussions, and in the final review and approval of any applications, will be the criteria outlined in the Technical Design Requirements - Section D, of the Region 43 Plan.

Following the review process and the collection of any further data, the sub-committee will make a report to the full Committee summarizing the findings during the review. This report will include a recommendation for either Approval as submitted, Approval if certain modifications are made to the application, or Disapproval. Any recommendation for Disapproval must be accompanied with an explanation of the specific aspects of the Plan that were not conformed to and any other reasons for the disapproval recommendation.

The full Regional Review Committee will be polled by its Chair and the results will be documented. If the application is Approved, the Chair will inform the Frequency Advisor of the results and the Frequency Advisor will forward the original application package to APCO for further processing.

If the Committee agrees with a recommendation to approve an application if certain modifications are made, the Chair of the RRC will write a letter to the Applicant outlining the changes required and facilitate getting the corrected information to the application review sub-committee. When this sub-committee is satisfied that the appropriate changes have been made, they will inform the Chair of the RRC who will document the results and advise the Frequency Advisor who will forward the corrected original application package to APCO for further processing.

Any application that is disapproved will be returned to the Applicant with a letter from the Chair of the RRC explaining why the application was disapproved and explaining the Applicant's right to appeal the decision.

APPEAL PROCESS

If the Applicant is not satisfied with the decision of the Regional Review Committee, they can request that the Chair of the RRC call a meeting of the RRC to consider an appeal. The Committee will take testimony and/or written material from the Applicant and other interested parties. Based on this, the RRC will vote to either uphold its original position or to modify that position. All appeals shall be heard and ruled on within 45 days of the date the appeal is received by the Chair.

If the Applicant is not satisfied with the decision of the RRC, they may appeal that decision directly to the FCC.

During internal appeal at the RRC or review appeal to the FCC, the Committee may receive an application for frequencies that is in competition for frequencies under appeal. If this occurs the latter Applicant will be advised that the frequencies in question are currently under appeal and that the RRC will not be able to act on the application until the appeal is resolved. The Chair will work with the Applicant to determine if other frequencies can be used to fill their needs so that their application can proceed without being delayed by the pending appeal. If the latter applicant decides to leave their application on file until the end of the appeal, the time period of the appeal will not count in the timeline of their application.

A text only copy of the Region 43 NPSAC Plan and a current copy of these Procedures will be available on the Northwest Chapter of APCO Bulletin Board for use by all interested parties. Telephone number of the bulletin board is (206) 438-7396.