

FEDERAL COMMUNICATIONS COMMISSION

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NATIONAL COORDINATION COMMITTEE

IMPLEMENTATION SUBCOMMITTEE

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THURSDAY

NOVEMBER 21, 2002

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The Subcommittee met in the Auditorium of the New York Fire Department Headquarters, 9 Metrotech Center, Brooklyn, New York, at 12:30 p.m., Teddy Dempsey, Chairman, presiding.

PRESENT:

TEDDY DEMPSEY	Chairman
DAVID EIERMAN	Member
FRED GRIFFIN	Member
ROBERT SCHLIEMAN	Member
TOM TOLMAN	Member
MICHAEL WILHELM	Designated Federal Officer for NCC

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P R O C E E D I N G S

Time: 12:37 p.m.

MR. WILHELM: While he is coming up here, I want to thank Teddy for the refreshments this morning. That coffee really is necessary to get me going.

(Applause.)

CHAIRMAN DEMPSEY: Okay, we'll get started. This way, those of us who are hungry can get to lunch quicker.

Again, typically, the activity in my subcommittee has been relatively quiet. We are just basically waiting for the other two subcommittees to finish some bits and pieces and forward them on to us. We revise either the guidelines or the plans of some of the appendices and then forward them on to NPSTC for inclusion into the guidebook.

Tom was kind enough to bring Version 2.0 of the guidebook which, as with any document in an organization -- a group like this, is ready for revision again. So there will be some revisions added to it, but it's shaping up. It is really -- NPSTC and Tom's group did a great job, and it really provides a good tool for the regions to put together their plans.

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1 We have sent out some revisions in the
2 guidelines and the national plan. They are out on the
3 listserver. I'm sure everyone has had a chance to
4 look at them. They are minor changes, and I don't
5 think they really warrant very much discussion at the
6 committee level.

7 I guess the best thing to do is to hand it
8 off to Dave and let Dave do his DTV report.

9 MR. EIERMAN: Okay. A few things have
10 happened in the DTV world recently. I guess there's
11 been some more -- The transition process, I guess, is
12 -- I guess the FCC considers back on track. They face
13 some actions to speed up the transition from where it
14 was.

15 Some of the things -- I mean, the May 1,
16 2000 deadline, about 1300 commercial stations were
17 supposed to be operational by then, and something like
18 two-thirds of them missed that date.

19 So six months later, we are here now, and
20 there's probably -- I think the latest number was
21 about 600 on the air, which I think some of those are
22 public broadcasting. But we are approaching like 40
23 percent are on the air now, and on the air does not
24 necessarily mean they are providing 24 hours a day,

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1 seven days a week or covering their full coverage
2 area. It just means they have a transmitter
3 constructed are on the air and are transmitting some
4 type of programming.

5 They have again another date of May of
6 next year to be, I think, transmitting 50 percent of
7 their programming or 50 percent of what they have on
8 their analog channel has to be simulcasted on their
9 digital channel. So they got another deadline coming
10 up in a little less than six months here.

11 The statistics coming out of the National
12 Association of Broadcasters -- they say there are 601
13 stations on the air in 165 TV markets, and they are
14 saying that 94 percent of the U.S. TV households are
15 covered by one or more DTV stations, and supposedly 65
16 percent of the U.S. households are in markets where
17 there are five or more DTV stations. So the numbers
18 are progressing.

19 The biggest thing, I guess, that happened
20 is the -- Let's see, what's the title of this
21 document? -- the second report and order, I guess, on
22 DTV transition. It was the -- basically, the TV tuner
23 requirements that televisions sets have tuners in them
24 that can receive over-the-air digital broadcast by

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1 certain dates.

2 Basically, there were three sizes of TVs,
3 greater than 36, 24 to 35, and 13 to 24, and basically
4 each one had two dates. There was a date where 50
5 percent of those marketed had to have the tuner in
6 them, and a date where 100 percent. That's basically
7 stretched out from the 2004 date, starting with the
8 largest TV sizes, down to July 1, 2007, where all TV
9 sets larger than 13 inch have to have the DTV.

10 People can't hear me? TV sets -- By July
11 1, 2007, all TV sets larger than 13 inch have to have
12 an over-the-air DTV tuner in them. So if you look at
13 that date, that's supposedly six months after the date
14 when analog is supposed to be turned off.

15 So the dates don't quite line up with our
16 hopeful transition of analog out of the band.

17 Canada has had a little bit more
18 discussion about clearing some public safety channels,
19 and I think there's a ray of hope there, that they may
20 eventually clear at least two of the public safety
21 channels in Canada. That's basically all the
22 information I have on that right now.

23 That's pretty much all I have. I
24 understand Bob's got some slides he wants to present.

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1 MR. SCHLIEMAN: We've been kind of hard at
2 work trying to figure out what to do about working
3 around the analog television stations that are on the
4 air, seeing as how we've got our state block license.

5 So this will go into some analyses.

6 So anyway, we've been doing a lot of
7 analysis to figure out how close we can get to these
8 TV stations, and there are several ways to determine
9 the 700 megahertz availability, by separate criteria
10 which is simple but inaccurate.

11 We can show contours and desired -- over
12 undesired ratios, which is better but still
13 inaccurate. Two to ten miles terrain average is the
14 basis for that and, certainly, we are looking at
15 longer distances on television transmitters.

16 Mean signal desired to $F(50,10)$, the
17 undesired, and 40 and 0 dB for desired to undesired at
18 the grade B contour.

19 We can perform an engineering study.
20 That's the most accurate way to do it. So what we are
21 going to show you, some analysis that's been done, get
22 permission, I guess, get the TV station to tell us
23 it's okay to proceed, and they will accept some
24 interference in some of their market area perhaps.

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1 In any case, we will look at a grade B
2 contour. This is Syracuse Channel 68. If you look at
3 this in a three-dimensional frame, you can -- The
4 little tick marks on the line, if you can see those on
5 the display, are the one degree resolution points
6 along the grade B contour.

7 So then we studied the signal at those
8 various points along the contour, the white line being
9 the contour and then the test points. So that, at
10 each one of those points around the contour, you see
11 this signal coverage. That would relate to mobile
12 interference if it was adjacent channel or co-channel.

13 Then to use Sean's term, kind of create
14 the interference amoeba, and that will become obvious
15 as we go into the next one. This is a more solid
16 version of the previous one. Then we run around the B
17 contour with this thing. So we create the "slug
18 trail" as this amoeba runs around the grade B contour,
19 and we end up with some interference analysis.

20 The blue is mobile blockage. Red is the
21 base station blockage, and black is where both are
22 blocked. So in the middle where you are looking at
23 that Channel 68 signal, you can see how that relates
24 using the regulatory availability.

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1 Then let me show you the same thing with
2 more stations involved. I don't want to take a lot of
3 time on this thing.

4 The spectral density of the signal: We
5 have done some monitoring of the TV transmitter, in
6 this case Channel 68, and looked at the power
7 distribution in the channel. As you can see, there
8 are some peaks that are associated with the visual
9 carrier, the color subcarrier, and the oral carrier,
10 and there's a lot of space below that.

11 If we look at the characteristic of the
12 power coupling into the IF, we will -- we are looking
13 at the LMR receiver when it's tuned close to the
14 visual carrier. Then if we look at it in perspective
15 to the actual visual signal, you can see the
16 integrated power, the black line which is the
17 integrated power that is intercepted by the receiver.

18 The green line is the power that is intercepted in
19 the IF of the receiver. The red line is the TV power
20 spectrum, as was measured on a spectrum analyzer.

21 Then we look at the LMR IF filter
22 superimposed on that. So we look at, example,
23 blockage versus public safety interference. When we
24 look at it with respect to the impact on base station

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1 receivers, you know, if we don't pick the right
2 frequency, it can be this bad.

3 This is -- The green area is interference
4 to the LMR base station receivers at 150 feet using a
5 pre-amplifier, as most UHF systems would be to
6 equalize the coverage for talk-out and talk-in.

7 The end result of this is that there are
8 certain frequencies you don't want to use, if you are
9 working with these TV channels in your area. It turns
10 out that -- You may notice that these channels are
11 paired. The top three and the bottom three represent
12 the mobile -- The first three are the base station
13 frequencies, and the bottom three are the mobile
14 frequencies, and those are the same channels.

15 So if you've got a Channel 63 or a Channel
16 68, you wipe out one of the inter-op channels, and if
17 you have a 64 or a 69, you wipe out one of the mobile
18 data channels in the interoperability set. So those
19 are things that you want to look at.

20 Where you can select your frequencies, you
21 can get your power level down so that you can get
22 closer. For instance, you notice you've got
23 differences of coupled power into the IF of 2.51 in
24 the one case and 22 to 29 dB in the other case. So

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1 that it can be closer to the station where you've got
2 lower power intercepted in the IF receiver.

3 So it will basically be important if you
4 are trying to do an implementation before the analog
5 TVs have gone off to choose the channels that you are
6 going to operate on in proximity to these TV stations.

7 This is just an example based on some inter-op
8 channels, but you have this same problem in the
9 general pool and the state channels.

10 So you really want to look at the TV
11 spectrum literally to see if you can choose channels
12 that will allow you to get closer.

13 That's basically what I wanted to convey
14 with this. Any questions?

15 CHAIRMAN DEMPSEY: Thanks, Bob. Tom, do
16 you want to present about the --

17 MR. TOLMAN: Sure. As Ted mentioned, we
18 have -- we, being the NPSTC Support Office, there
19 again posted at the University of Denver. Having
20 gathered information, I have to make mention and give
21 kudos to all that was -- It's been a team effort. I
22 mean, we've had Emil Vogel, Bette Rinehart, and of
23 course, Ted and Dave Funk and others in our Support
24 Office have been working to collaborate with some

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1 other team members back in the Support Office that
2 you've never heard their names to make this happen.

3 The guidebook is now available, and this
4 is the regional planning guidebook, and also as Ted
5 mentioned, we will keep this in loose format so that,
6 as those add-ons or changes come down the pike, it
7 will be easy for those who have the version to just
8 simply change them out. Also, those that will get the
9 book will also get the CD.

10 You want to talk about the other things or
11 just stop there? Okay.

12 The funding working group -- Funding
13 Working Group 5 -- we met again, and "we" is a new
14 team, the PSWN group through Rick Murphy and the team
15 there, Adam Roy and some others have teamed up or re-
16 upped their commitment to keep this group alive.

17 While it seems like there is nothing
18 happening, we want to keep this group alive and keep
19 it in cue so that, when Federal funding and other
20 funding sources related to the work here do come
21 alive, and we know they will, that we are prepared to
22 keep this working group useful.

23 Specifically, we are -- the location of
24 where this working group -- any information that we

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1 come up, new sources of funding -- will again reside
2 on the NPSTC website. So any updates, just simply go
3 to the NPSTC site there, and we will be trying to give
4 those updates as they come.

5 So it was agreed among the group that
6 future efforts would include lists of funding sources,
7 like I just said, updates of funding initiatives, and
8 sources possibly through the NPSTC newsletter, for
9 those of you who don't know about this newsletter
10 which is another outreach communication medium, which
11 the past few issues have been dedicated to what we are
12 talking about here with the 700 band. See me or Dave
13 Funk who has actually been the driver behind that and
14 has been putting it together about details of that
15 newsletter.

16 Just firming up the commitment again of
17 this group, it stands ready and we will continue to
18 monitor those funding sources as they come down the
19 pike.

20 While I still have the mike, and rather
21 than bouncing around, if I can, Ted, I'd like to ask
22 Dave Funk to come up to the mike and give an update on
23 the pre-coordination database work that's been going
24 on, and there's a lot been going on.

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1 MR. FUNK: Good morning. Dave Funk, NPSTC
2 Support Office.

3 We have essentially been training in the
4 CAPRAD database. We have had 15 regional planning
5 committees that have attended our training over the
6 past four months, and a number of people from each of
7 those regions. So we have people out there in every
8 stage of usership.

9 We have some that are actually in the
10 production side, building parts of their plans, and we
11 have, obviously, southern California who has their
12 plan completed. It's actually been uploaded and put
13 into the database and exists out there for modeling
14 for people who are so inclined.

15 We also have people at the very beginning
16 phases of it, but the database is up. It's working
17 great, and it is available for those that have been
18 trained. I have a list of people who are ready to
19 come and get trained, and get phone calls every day
20 for people who want to get involved in the training as
21 well as to take advantage of the money that we do
22 still have available to some extent.

23 We have to this day -- As a result of our
24 regional planning support funding effort from 2001, up

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1 to today we have actually funded in excess of \$87,000
2 for regional planning.

3 This year alone, we have supported regions
4 to the tune of \$15,000, and we have about half of that
5 left. So we are looking at about five more regions
6 that we can fund. We do have two regions currently
7 pending and have a request in, and five have been
8 funded so far this year.

9 MR. TOLMAN: Thanks, Dave. One other item
10 that relates to the Support Office and the website and
11 what we are here about today is a partnership was
12 formed with APCO and the NPSTC Support Office to --
13 and this was actually launched and developed primarily
14 through APCO, but as the site -- We have developed
15 what we are calling an SIEC site.

16 That has been merged and put into the
17 NPSTC site. So I won't bore you with all the details.
18 Just go there to the site, and you will see it.

19 MR. GRIFFIN: Fred Griffin, Policy
20 Committee. There's really been no activity since last
21 time around.

22 I would like to share with you. I
23 attended the PSWN meeting in Trenton a couple of weeks
24 ago. It was interesting, and I don't know the man's

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1 name, but from the audience he stood up and said Radio
2 3000 and Radio 4000, gentlemen, that's not the model
3 number, that's the cost, and we can't afford it.

4 That's all he said. What he really was
5 implying, and it's true -- Analog trunk radios in
6 service, about \$3,000. Digital is at \$4,000, and
7 local governments just can't afford that level, which
8 is, I think, why you see some of the comments in
9 yesterday's USA Today.

10 I would suggest that this committee or the
11 Commission might want to address the cost of the
12 radios and what might be done about it.

13 That's all I have to report.

14 CHAIRMAN DEMPSEY: One issue that I would
15 like to discuss just a few minutes, and I think it's
16 important, is that when we first put the process
17 together and put forward regional planning guides and
18 templates, we were hoping that these would be used,
19 obviously, to help the regions develop their plans and
20 get them submitted. And it worked, and everybody used
21 them. We got a lot of positive feedback from the
22 effort.

23 When we first started to distribute the
24 materials, Dave Buchanan's group, Region 5, was

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1 probably the most active at the time. And even though
2 their spectrum is still encumbered by DTV, they felt
3 that they wanted to be one of the first plans out
4 there.

5 It may be that they just wanted to take
6 over the sandbox and not let anybody else play, but
7 for whatever reason, they were the quickest in getting
8 their plan done.

9 We had hoped that, when the plan was
10 submitted to the FCC, that at least the turnaround on
11 the first plan would be quick, so that we would then
12 learn from whatever either mistakes that they made or,
13 if there were some positive pieces of the plan that we
14 didn't think of, that they would be brought out or
15 brought to our attention.

16 We are kind of concerned in the committee
17 that we haven't seen any activity on Region 5's plan
18 and that it's still out there. We have also been
19 speaking to other regions that are forming. A lot of
20 them are waiting to see what the reaction from the FCC
21 is about Region 5's plan and the comments, and they
22 don't want to go forward with submitting their plans
23 until something has come back.

24 During NPSPAC -- and of course, I don't

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1 think I was alive back then, but some of you guys were
2 -- Region 8 was the first one. Emil is the only one
3 left, I think. Region 8 was the first plan to be
4 submitted, and again using that as the nose in the
5 camel -- whatever, the nose in the tent, to get
6 something in there so that the FCC could then turn it
7 around quickly.

8 We are somewhat concerned that, if it does
9 take a few more months to get some comments back and a
10 few more months to fix the plan, we've eaten up a
11 year's time. Even though -- and I think it may be --
12 I've heard this, too, that, well, since there are no
13 free TV channels or free 700 channels in the
14 California area in that particular area, there really
15 isn't any urgency to this.

16 It's just my opinion that there is some
17 urgency, because we need to be able to get feedback to
18 the other plans so that they can use whatever changes
19 that the FCC may recommend, to get theirs in. Then
20 the plans will move quickly through.

21 It will just be a matter of the form will
22 be fine. It may just be a matter of verifying that
23 the plans are actually within the guidelines that
24 we've set forth.

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1 I'd just like to see if -- get some
2 discussion on this, and then figure out a way that
3 maybe we could bring it to the Commission and find out
4 what's going -- you know, find out -- maybe get a
5 little bit more interactive with them.

6 We are all willing to spend the time with
7 the Commission to help them go through the process.

8 MR. McEWEN: Harlin McEwen, ISEP.

9 Ted, you raise an issue that has been
10 increasingly a matter of discussion as I travel around
11 the country and meet with different groups. There's a
12 lot of concern about that.

13 I'm working closely with Steve Devine and
14 other people that are intimately involved in the
15 planning and this process, and from my perspective,
16 most of the kind of response we are getting is just it
17 doesn't seem to be of urgency at the Commission.

18 So I would recommend that perhaps this
19 committee recommend to the Steering Committee that we
20 raise this to a level of expressing our concern to the
21 Chairman of the Commission and saying that -- just as
22 you just said it. I think the way you said it is the
23 point.

24 Perhaps the feeling is that there is no

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1 urgency, because we don't have a lot of the spectrum
2 available, but I do believe they may not understand
3 the dynamics of getting feedback so that we can
4 continue the planning process and be ready for when
5 those channels are actually available.

6 So I would recommend that the committee
7 consider moving that to the Steering Committee for
8 discussion tomorrow and perhaps suggesting that the
9 Steering Committee communicate to the Chairman our
10 concern, because I think we've worked hard.

11 This has been a long process. We've
12 worked hard to do what the Commission asked us to do,
13 and now it's time for some feedback.

14 MS. KOWALSKI: Jeanne Kowalski, Federal
15 Communications Commission.

16 I definitely want to offer some
17 information to help people understand some of the
18 information that the Commission wants you to
19 understand.

20 One of the things that -- First of all, at
21 the staff level we have gotten some feedback. I will
22 share that with you. But first, one of the things
23 that we haven't decided and we are still trying to get
24 some input in terms of administration is how do we

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1 handle this different from the 800 NPSPAC process for
2 docketing purposes?

3 In that instance, each of the regional
4 plans got individual docket numbers, and now we are
5 10-15 years down the road. We've got these ancient
6 docket numbers, and for the 700 process we are looking
7 at a different kind of an approach that will allow us
8 to have electronic availability, but not bog down with
9 individual dockets. So that's the administrative
10 side, which is being worked on.

11 In terms of the Region 5 plan,
12 occasionally Dave Buchanan and I exchange e-mails.
13 There are two major concerns that we are struggling
14 with right now. One is, in order to process a
15 regional plan, we were wondering -- okay, we don't
16 have anything in the regional plan for wide band
17 channels. So do we establish a process that is two-
18 pronged, one for narrow band and another one for wide
19 band? I know that will be decided.

20 The second thing we observed with the
21 first plan that was filed, Region 5, is that there has
22 been no filing or approval of the adjacent regions to
23 this plan. So here you have a first plan in the door
24 without any kind of concurrences from the adjacent

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1 regions, and this is a concern, and we are not sure
2 what to do with that.

3 The most important message I want to leave
4 is that, in terms of the work that this subcommittee
5 has been doing and that the NCC has been doing for
6 regional planning, our staff people are aware of that.

7 We try to take everything that you develop, and we
8 are looking at our checklist to make sure there is
9 nothing missing, that there is nothing significant.

10 We have also been watching the development
11 of the CAPRAD database to see is there any clear
12 connection that the public safety people will want to
13 make between regional planning and the processing of
14 that CAPRAD database.

15 So there's other kinds of things that are
16 going on. It may not appear that the Commission has
17 been acting as quickly, but one of the things we don't
18 want to do is piecemeal, go back and say, well, we
19 want this, this and this.

20 We are trying to do a more comprehensive
21 approach at the staff level right now so that, when we
22 go back, we will only go back one time, and it will be
23 clear specifically what we think needs to be done.
24 But, clearly, this guide -- we've been encouraging the

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1 posting of that even in draft form, so that all the
2 regions around the country will have a chance to use
3 that, and I think it's worked great.

4 I think the Chief of the Division, D'wana,
5 understands and has heard the request to have this
6 thing acted on. It's no excuse to say we have a press
7 of other business, but it is on our list of
8 activities.

9 SGT. POWELL: John Powell.

10 First of all, I think, considering your
11 request with dealing with wide band, there is no
12 alternative to moving this fast other than to handle
13 it as a two-phased process until the TIA standards are
14 out there and people have some idea of where they are
15 going on channel loading and a number of issues that
16 need to be resolved, because from the prior meeting --
17 the prior subcommittee, we are in new territory.

18 The real critical need is for voice, and
19 we need to get that out there.

20 With regards to docketing, you have an
21 electronic docketing process. It works really well,
22 and you could snag that stuff immediately off the
23 Internet, post it, and just go through that process.
24 Let it happen. Let it go quickly. Get your comments.

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1 With regards to adjacent regions, there's
2 always going to be a number one in every area of the
3 country. Fortunately, for southern California the
4 adjacent regions -- First of all, northern California,
5 our people are very involved in the southern
6 California plan. We know how it's working.

7 We are in the process of developing the
8 northern California plan now, and it is being done
9 with input from southern California. We are not going
10 to have a problem there.

11 Other borders are with Nevada where you're
12 going to be interfering with jackrabbits primarily,
13 and with Arizona. The adjacent region issues for
14 southern California are much less than they will be in
15 other areas of the country.

16 Somebody is going to be first in every
17 area. You know, what happens when Steve comes in next
18 with the Missouri plan with seven adjacent regions --
19 eight adjacent regions? They are first, and you know
20 what? That's great for them, and the other people had
21 their opportunity. The other regions around them
22 could have been first, too. Steve is first. You've
23 got to deal with that.

24 There's going to have to be some give and

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1 take as things develop. Fortunately again, with
2 Missouri, which I'm guessing is going to be number two
3 in, is that they have got a lot of sparsely populated
4 area. Yes, there are -- As with southern California,
5 they've got to deal with some big cities adjacent, but
6 somebody is going to be number one, and you got to
7 deal with it.

8 MR. DEVINE: Steve Devine, State of
9 Missouri.

10 One of the questions would be would
11 somebody have to have a plan already approved to
12 approve an adjacent state's plan or concur with an
13 adjacent state's plan? That's a question.

14 I mean, if Iowa doesn't have a plan, does
15 that mean that I can't send my -- Does that mean that
16 they can or cannot approve the plan that I send to
17 them for concurrence? So that's just a question I
18 have.

19 I appreciate the input from the
20 Commission. I do agree that the wide band and narrow
21 band probably has to be because wide band right now is
22 a moving target. I think we need to address the voice
23 concerns.

24 Previously, we had some product. The

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1 product wasn't out yet, and as we are seeing, the
2 product is there now. So I think that was perhaps
3 something we kind of lived with at the time, and now
4 the product is there, and there's areas in addition to
5 being prepared for the incumbency and the DTV
6 transition areas, such as my state, that the band is
7 clear already.

8 So in addition to being prepared, there
9 are some that are available now. The adjacent state -
10 - I'm not sure about the docketing procedure. I think
11 we can figure that out.

12 The adjacent state approval is one that --
13 The question I have is will one have to have a plan in
14 place in order to concur with an adjacent state? I
15 have decided I have to get all my adjacent states'
16 concurrence, regardless of whether they have plans or
17 not, but are they going to be speaking from an
18 educated perspective or are they just going to go,
19 sure.

20 So in addition to that, modifications on
21 an administrative nature with regard to electronic
22 filing, when it was brought up regarding the CAPRAD
23 database perhaps: If the plan is going to sit on the
24 database and I need to make an administrative change -

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1 - In particular, in my plan I keep a running dialogue
2 of chronological history of meetings and attendees and
3 topics and those things.

4 If I want to update that, if I have to get
5 Commission approval every time I want to update that
6 plan, I'm going to be dissuaded from making those
7 timely updates in that real time product. So I think
8 maybe some parameters could be established with things
9 you can change, things you can't.

10 Obviously, if you do narrow band and then
11 wide band is added, that would be something that would
12 require concurrence again, because the other states
13 are going to have wide band allotments as well. But I
14 appreciate the information we have gotten.

15 Also through NPSTC I represent ten of the
16 RPCs. So I can take some of this information back and
17 provide some of this updated information I've got, as
18 well as what some of their plans need to contain. So
19 all that information there, through NPSTC there's a
20 mechanism for that dissemination, if needed.

21 MR. SCHLIEMAN: Steve, just one question.

22 With regard to the adjacent regions, was your concern
23 that they had to have a plan in place first, which
24 sounds like a chicken and the egg thing, or was it a

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1 case of whether they had actually formed a committee
2 yet?

3 MR. DEVINE: It was probably in the form
4 of a question, and I'm not sure what is going to be
5 considered valid. A committee with no plan? Can they
6 -- Is their concurrence valid? That's just a question
7 I have. It's more of --

8 MR. GRIFFIN: Steve, I think the question
9 is do you have somebody officially to talk to? That's
10 what Bob is saying.

11 MR. DEVINE: And what are they referring
12 to when they give me a yes or a no?

13 MR. GRIFFIN: That's their business. But
14 the question is do you have a -- Have they done the
15 convener meeting? Is there a designated chairman?

16 MR. DEVINE: Right. If that's all that is
17 required, then that answers my question. But if they
18 haven't completed the process yet -- that's my
19 question.

20 MR. SCHLIEMAN: Maybe Jeanne could answer
21 that.

22 CHAIRMAN DEMPSEY: Well, before we put
23 Jeanne on the spot, I think that the intent of the
24 guidelines and the rules as we tried to get them

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1 approved was that the plan would have to be
2 distributed to the adjacent regions, and then they
3 would have to concur.

4 That's not necessarily saying, though,
5 that they have to have a plan in place. They would
6 have to -- I would assume they would have to form,
7 because there would be no entity to submit your plan
8 to. But I think even just showing that there was an
9 effort to get concurrence from the other regions would
10 be sufficient enough to allow the applying region to
11 go ahead and get their plan approved.

12 If the adjacent region doesn't act or
13 decides not to concur because they are either not
14 formed or they just don't want to cooperate, that
15 shouldn't stop a particular region's plan from going
16 through.

17 MR. SCHLIEMAN: One would like to believe
18 that. How-some-ever, I can tell you from past
19 experience, recent experience, that after a year, you
20 know, or nine months anyway of nonresponse, it was
21 still holding us up at 800.

22 SGT. POWELL: Ted, can I make a
23 suggestion? That the Commission post these plans --
24 well, first of all, require adjacent concurrence from

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1 any region that has formed and selected a chairman for
2 the region; that beyond that, that the plans as they
3 come in be docketed, posted on the electronic filing
4 system for a period, say 30 or 45 days, during which
5 they are open for public comment, and the regions
6 adjacent that have not yet formed, that would be their
7 mechanism to get their input in, as with anyone else
8 anywhere in the country that wanted to provide those
9 comments; and that based on the results of that public
10 comment period, the Commission make their decision.

11 If there are substantive changes that they
12 are going to require, then they would have to do that
13 before it is posted for public comment, but that that
14 be a procedure that they follow. Very
15 straightforward. Set a time limit. It deals, I
16 think, fairly with the adjacent regions and allows
17 probably the only way you could get input from the
18 ones that haven't formed.

19 CHAIRMAN DEMPSEY: Okay. So maybe we will
20 write that up and forward it to the Steering
21 Committee.

22 I take it that Harlin's suggestion -- and
23 I'd like to get a concurrence that we will bring up
24 the issue of the Region 5 plan and the process with

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1 the Steering Committee tomorrow. I doubt very much
2 that I will get any objection, but we will discuss it
3 tomorrow then. We will bring it up at the Steering
4 Committee.

5 That's all we have for today.

6 MR. WILHELM: I thank all of you for your
7 attention at the meeting this morning.

8 The meeting tomorrow will start at 9:30.
9 It will start promptly, because we have schedules that
10 some of the speakers have to keep.

11 The sponsors, the Steering Committee, and
12 the Subcommittee Chairs will not have their usual get-
13 together before the meeting. However, if they would
14 care to gather at the back of the room on my far right
15 around nine o'clock, we can discuss any matters of
16 concern that they may have before the meeting.

17 So if you wish to, please join us tomorrow
18 at nine o'clock in the back of the room on stage
19 right.

20 With that, our subcommittee meetings are
21 adjourned. Thank you very much.

22 (Whereupon, the foregoing matter went off
23 the record at 1:22 p.m.)
24

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