

**Tompkins County**  
**DEPARTMENT OF ADMINISTRATION**  
125 East Court Street  
Ithaca, New York 14850  
(607) 274-5551  
Fax (607) 274-5558  
<http://www.tompkins-co.org/>

March 17, 2004

Federal Communications Commission  
1270 Fairfield Road  
Gettysburg, PA 17325

**Re: Waiver of FCC Rules for 1.946 (d) & (e) for Late Filing of an Extension Request for Call Sign WPNQ294**

I am pleased to inform you that Tompkins County has made significant progress in the utilization of frequencies assigned for public safety use, as outlined below.

1. The County has completed extensive preparatory work:

- 2001: A comprehensive needs analysis and planning effort for the new integrated voice and data Public Safety Communication System (PSCS).
- 2002: Developed and released an RFP for vendors to design and build the PSCS.
- 2003: County Legislature approved \$19.2 million capital expenditure for the PSCS, and assigned two full-time County staff to the project.
- 2003-2004: Spent \$3 million for the construction of a centralized Emergency Response Center –expected to be online in May 2004 –consolidating 911 dispatch for all local agencies, and serving as primary control site for the PSCS.
- 2003: Spent \$2 million for equipment and infrastructure to upgrade radio transmission sites to support the new 911 Center and the PSCS.

Furthermore, significant funds have been and continue to be expended for consultants engaged in project planning and vendor contract negotiations. Discussions are ongoing with the New York Statewide Wireless Network (NYSWN) regarding their continuing interest in having the Tompkins County communications system and Emergency Response Center supplement and support NYSWN-proposed service in this portion of the State. The County still anticipates a partnership with the NYSWN, as defined in their mission “to enable immediate coordination of public safety resources ... and to concurrently foster voluntary public safety and public service partnerships with localities throughout the state.”

2. The objective of the Tompkins County’s PSCS radio system is to eliminate the interoperability issues that have plagued critical communications for years, threatening the public’s safety and the lives of first responders. The lack of interoperability is increasingly critical as our antiquated systems continue to degrade, affecting emergency communications between and among state agencies, county agencies, local fire and law enforcement, emergency relief organizations (e.g. Red Cross), private entities (e.g. colleges, ambulance services, transit authority), and municipalities. The communication systems used by these entities vary greatly in age, frequency band of operation, and modulation techniques. The mixture of these bands and the antiquated equipment cannot fulfill today’s critical requirements of a modern public safety

communications system. The existing communications infrastructure in Tompkins County is the lynchpin for effective emergency response to any type of disaster. The County's Emergency Management Plan, completed in 2003, identifies the current communication system as the largest vulnerability and greatest impediment to an effective response effort in the event of an emergency.

In the post-September 11<sup>th</sup> environment, Tompkins County has committed more than \$5 million dollars in preparation to effectively address public safety's critical need for reliable communications. The County is in full agreement with the FCC Homeland Security Policy Council mission statement that "*ensuring that public safety, public health, and other emergency and defense personnel have effective communications services available to them in the immediate aftermath of any terrorist attack within the United States.*" Tompkins County's 800 MHz system provides this assurance. The construction of a countywide common infrastructure that can be shared with individual communities, agencies and private organizations responsible for public safety, will provide the interoperability on a single common network; which if done on their own would be cost-prohibitive and fractious. The Tompkins County radio system will reduce the disparity between large, small, wealthy, or poorer communities, while being committed to county- and statewide interoperability

3. Tompkins County has been committed to resolving the public safety communication problem through procurement of a countywide radio system, for quite some time. As early as 1998, an 800 MHz Technical Committee was established by the County Legislature to begin evaluating the feasibility of a new system. In 1999, the County obtained FCC licenses to support the system. Since then, the County has been developing and evaluating radio system options in an atmosphere where the technology evolved rapidly, the options for a statewide network have been in flux, training exercises illustrate communications to be a weak link, and the financial commitment necessary to resolve the issue was hard to define.

As a result, the County has actively sought out partnering opportunities at the state and local levels, as well as public-private partnerships, to achieve interoperability and utilize the licensed frequencies. Economies of scale stand out as the preferred method to efficient RF spectrum utilization and the solution to our communications problems. Tompkins County, its municipalities, and New York State have had ongoing discussions and numerous meetings revolving around the need to achieve the same goals and coordinate actions. This careful process has necessarily delayed deployment of the frequencies and the County's system implementation. As a result, the County now seeks a license extension to support implementation of the interoperable system. The County regrets not advising the Commission that our time horizon was waning and must now request consideration of a revised implementation schedule.

4. Tompkins County has taken steps to assure that the FCC will be kept apprised of the County's implementation progress in the future, with respect to the radio facilities authorized under WPNQ294 and WPOY919, and that the FCC Required Notifications relative to this authorization, are filed in a timely manner.

5. **Exhibit A**, appended to this letter, details the funding commitment and scope of work authorized by the Tompkins County Legislature for this radio system. The \$19.2 million dollar project is the largest capital project ever authorized in Tompkins County.

6. **Exhibit B** is a copy of a letter from Mr. Hanford Thomas, Director of the New York State Statewide Wireless Network, to the Tompkins County Administrator, dated February 27, 2004, that signifies the intended partnership and shared resources.

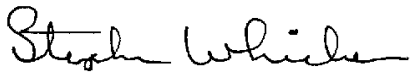
7. Tompkins County requests approval of the following revised Implementation Schedule:

On or before August 31, 2005	Purchase and install 1 base station and 20 subscriber units
On or before August 31, 2006	Purchase and install 3 base stations and 70 subscriber units
On or before August 31, 2007	Purchase and install 6 base stations and 210 subscriber units
On or before August 31, 2008	Purchase and install 700 subscriber units

Tompkins County fully expects to comply with the proposed implementation schedule and understands the requirements to construct a licensed system within the timeframe allowed by the Commission. The County believes that the delay in implementation has ultimately resulted in a system design with improved interoperability. Additionally, technological changes over the last five years have resulted in the development of radio units with the ability to interoperate over different proprietary networks. While the County is not pleased that this project has been delayed, the end result will be a better performing public safety system, offering more features and services, to more people, at a reduced cost and increased spectral efficiency.

I wish to thank the Commission for considering our request for an extension that will allow the County to build a new system for public safety. In light of the County's extensive efforts to ensure interoperability, coordination with NYSWN, efficient use of spectrum and limited taxpayer funds, we hope that the Commission will find ample reason to grant the requested extension.

Sincerely yours,

  
*Electronic Signature*

Stephen Whicher  
County Administrator

**RESOLUTION NO. 242 - ADOPTION OF 2004-2008 TOMPKINS COUNTY CAPITAL PROGRAM**

MOVED by Mr. Penniman, seconded by Ms. Schuler.

WHEREAS, the proposed Budget for the year 2004 and the proposed 2004-2008 Capital Program have been presented to the Legislature by the Budget Officer and a public hearing was held on November 10, 2003, and all persons desiring to be heard concerning same have been heard, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That pursuant to Section 5.07 of the County Charter, the said proposed capital program as amended is adopted, subject to the correction of manifest errors by the Clerk of the Legislature and Budget Officer, as the capital program of Tompkins County for the years 2004-2008.

SEQR ACTION: TYPE II-20

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cc: Administration - via Network  
Finance Department  
Public Works

STATE OF NEW YORK   )  
                                  ) ss:  
COUNTY OF TOMPKINS )

I hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the Tompkins County Legislature on the 2<sup>nd</sup> day of December, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Legislature at Ithaca, New York, this 11<sup>th</sup> day of March, 2004.

 , Clerk  
Tompkins County Legislature

## Project Approval Request

### **A. Project Description Summary**

**Project Name:** Public Safety Communication Project      **Project Type:** Other  
**Department:** Emergency Response  
**Project Manager:** Mikel Shakarjian      **Program Manager:** Lee Shurtleff  
**Program Committee:** Communication Capital Projects  
**Jurisdiction:** Countywide  
**Is this a new project?** Continuation  
**Project Number:** 99-8

#### **Describe this project's relationship to other capital projects, and/or operational programs:**

The Public Safety Communication System (PSCS) project is a complete turn-key project that will provide voice, data and paging service to public safety responders countywide. This project is also related to the New York State Office for Technology's Statewide Wireless Network (OFT-SWN) project, sharing the same goals for a microwave and integrated voice and data LMR system. A collaborative partnership with the State is being sought to share frequencies, infrastructure, and equipment to minimize the overall cost to taxpayers. It is expected that the partnership will result in cost-sharing, as outlined in the other sections of this form. Numerous operational programs within the County Department of Emergency Response, Sheriff's Office, 911 dispatch, local law enforcement, ambulance services, state and municipal public safety agencies are directly affected by the operation and issues associated with the current microwave system, LMR and the paging systems.

### **B. Project Purpose and Need**

#### **Summarize the purpose and need of this project:**

The mission of the Public Safety Communication System project is to develop a countywide communication system that meets the needs of public safety officials and other governmental entities by providing the maximum level of portable coverage for the least cost, with a minimal impact on the environment and interoperability among involved public safety and federal agencies. Furthermore a goal of this project is to develop infrastructure and technology that can be shared with the OFT-SWN project for seamless operation and efficient use of spectrum, and will provide for future growth.

Portions of the current microwave, LMR and paging systems have been in operation for over 25 years and parts necessary to maintain the system are no longer being manufactured. Changes in FCC regulations threaten the security and reliable use of these systems into the future, and replacement is the only way to address the severe operational issues experienced by users. Moreover, portions of the systems have failed sporadically within the last few years potentially placing the lives of public safety responders and the public in jeopardy. Multiple county, state, private and municipal agencies are directly affected on a daily basis by transmission limitations (capacity), frequency interference, coverage gaps and the system's unreliability (See Public Safety Communication Needs Analysis Report, NYSTEC 2001).

#### **The expected outcome of this project is:**

Completion of this project will result in a state-of-the-art public safety communication system that provides and promotes interoperability and efficient use of spectrum while serving the voice, data and paging communication needs of public safety responders in Tompkins County. A new system will meet the needs of public safety for at least 20 years, due to its requirement for expandability and scalability. The scope of work for this project will (to the greatest extent possible) also serve the siting needs of the OFT-SWN.

**County and Customer service(s) improved by project include:**

Multiple public safety agencies utilize the current communications systems and will immediately experience improved reliability, coverage, capacity, interoperability plus functional and operational benefits. By providing a more reliable system that meets the needs of first responders, the public will benefit from improved response efficiency and effectiveness. Moreover, due to the system's scalability, programs may request new technology, software or hardware to capture the benefits of the robust new system.

An exhaustive assessment of the public safety user community's current problems, operational and functional needs was used to develop functional specifications for the PSCS system, to ensure to the greatest extent possible, that the user community's needs are met. For a complete summary, please see Task 1 Report: Public Safety Communication Needs Analysis (NYSTEC 2001) and the RFP released in May 2002 for the proposed system's mandatory requirements. Partnership with the SWN project may or may not add requirements exceeding the County's specifications.

**C. Financial Information**

<b>Funding Source (Local, State, Federal, Other)</b>	<b>Anticipated Funding Level (Whole Dollar Amounts)</b>
Local Share	19,123,810
Infrastructure & Legacy \$6,400,000	0
Microwave System \$4,500,000	0
Integrated Voice & Data, RMS \$4,518,310	0
Paging System \$350,000	0
End-user Equipment \$2,399,000	0
Planning, Design and Implementation \$2,436,500	0
<b>Total Local Share:</b> 19,123,810	<b>Total Project Cost:</b> \$19,123,810



George E. Pataki  
Governor

STATE OF NEW YORK  
OFFICE FOR TECHNOLOGY  
STATE CAPITOL, ESP  
PO BOX 2062  
ALBANY, NY 12220-0062

James T. Dillon  
Chief Information Officer

Michael McCormack  
Director

February 27, 2003

Stephen Whicher  
County Administrator  
Tompkins County  
124 East Court St.  
Ithaca, NY 14850

Dear Mr. Whicher:

Thank you for your recent communications addressing emergency communications initiatives in Tompkins County. The Statewide Wireless Network (SWN) will be building-out a communications backbone in western New York as part of the SWN and believe it would be in the best interest of all to share towers, frequencies, to reduce mutual costs, and most importantly to implement a common emergency communications network that enhances interoperability.

It is my understanding that Tompkins County is seeking an extension of its existing frequency licenses for WPNQ294 and WPOY919 from the Federal Communications Commission (FCC) for your slow growth plan in conjunction with your emergency communications infrastructure build-out.

To that end, the SWN fully supports Tompkins' request to the FCC for a time extension on its currently licensed frequencies as we have previously done for Chautauqua and Erie County. This extension will allow Tompkins County to meet build-out requirements in partnership with the SWN. Loss of these frequencies at this time would not be in the best interest of public safety in New York State.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

Hanford C. Thomas, Director  
Statewide Wireless Network