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November 16, 2021

Re: Public Safety Communications Network Recertification Deadlines

Dear Public Safety Stakeholders in Utah:

The Utah Communications Authority (the “Authority”) recently revised its administrative rules governing certain aspects of its operations, which have been codified at Utah Administrative Code R174, effective July 7, 2021. Among the rules adopted are certain requirements for participation in the Authority’s Project 25 public safety radio network (the “P25 Radio Network”), which is currently being built out by L3Harris, including application and recertification deadlines for participation in the radio network.

In particular, R174-1-504(2) requires each eligible entity that was a user of the Authority’s existing radio network as of January 1, 2020, and which wished to continue as a user of the P25 Radio Network, to submit a recertification application by the following dates:

- For a state agency, June 30, 2022
- For a county of the first or second class, December 31, 2021
- For all other entities, June 30, 2021

R174-1-504(6) permits the executive director to excuse any non-compliance with these deadlines.

I have determined, consistent with my discretion under R174-1-504(6), to excuse any late filing under these deadlines so long as a filing is made within one year of the deadline set forth in R174-1-504(2). While the Authority’s administrative rules were initially published for public comment in October 2020, significant revisions to other aspects of those rules were made after receiving further comment from the Authority’s stakeholders, resulting in revision and resubmission of those rules for adoption. This resulted in a delay in the adoption of the final rules until July 7, 2021. Moreover, the COVID-19 pandemic has continued to impact the operations of the Authority and its users, which likely impacts the ability of some users to prepare and submit the required recertification applications.

In light of the foregoing, any late filing under R174-1-504(2) shall be excused and deemed timely if received by the following dates:

- For a state agency, June 30, 2023
- For a county of the first or second class, December 31, 2022

- For all other entities, June 30, 2022

All such applications will be reviewed in the manner set forth in R174-1-503, and no other requirement of R174-1-504 or R174-1-503 is waived as a result of this determination.

Any person aggrieved by this determination may appeal to the Authority's Board by submitting a written request for review to the Board and executive director within seven days after receipt of this determination. Other requirements for appeal are set forth in R174-1-701.

Sincerely,

David A. Edmunds

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11/17/21 4:01 PM MST
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Dave Edmunds
Executive Director
Utah Communications Authority