

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Improving Public Safety Communications
in the 800 MHz Band
Regents of the University of California
Request for Extensions of Time
Docket No. 02-55

ORDER

Adopted: November 21, 2013

Released: November 21, 2013

By the Deputy Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau

I. INTRODUCTION

1. Under consideration is the Request for Extension of Time to Submit Cost Proposals (Request) filed November 20, 2013 by the Regents of the University of California (University) seeking extensions of time within which to file rebanding cost proposals with Sprint Corporation (Sprint) as part of the Commission's 800 MHz band reconfiguration initiative. The University must conclude separate Frequency Reconfiguration Agreements (FRA) with Sprint for four of its Southern California campuses in Irvine, Santa Barbara, Riverside and Los Angeles.

II. DISCUSSION

2. For the Riverside campus, the University's vendor has prepared a cost proposal which must be executed by University officials before submission to Sprint. The University requests a two-day extension, until November 22, 2013 to acquire the required signatures. For the Santa Barbara campus, the University's vendor is in the process of preparing the cost proposal and the University anticipates receiving it before November 28, 2013. It requests, however, an extension of time until December 2, 2013 to account for possible delay due to the Thanksgiving holiday. For the Los Angeles campus, the University notes that its vendor will deliver the cost proposal to the University during the week of

1 See Request for Extension of Time to Submit Cost Proposals, filed November 20, 2013 by the Regents of the University of California (Request). See also Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55, et al., Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, 19 FCC Rcd 14969 (2004) (800 MHz Report and Order); Supplemental Order and Order on Reconsideration, 19 FCC Rcd 25120 (2004) (800 MHz Supplemental Order), review denied sub nom. Mobile Relay Associates v. FCC, 457 F.3d 1 (D.C. Cir. 2006); Memorandum Opinion and Order, 20 FCC Rcd 16015 (2005); Second Memorandum Opinion and Order, 22 FCC Rcd 10467 (2007). See also Kay v. FCC, No. 06-1076 (D.C. Cir. filed Feb. 24, 2006) (holding additional appeals in abeyance)

2 Request at 1.

3 Id. at 1-2.

December 2, 2013, but requests an extension of time until December 10, 2013 to prepare its portion of the cost proposal.⁴ For the Irvine campus, the University anticipates that its vendor will deliver the cost proposal during the week of December 16, 2013, and requests until December 20, 2013 to submit the cost proposal to Sprint.⁵ The University characterizes the requested extensions as “brief” and represents that, if granted, the extensions will not delay the “overall reconfiguration process.”

III. DECISION

3. Section 1.46 of the Commission’s rules provides “It is the policy of the Commission that extensions of time shall not be routinely granted.”⁶ The import of that rule is especially relevant to 800 MHz rebanding where delay in rebanding by one licensee can cause a “domino effect” delay in the rebanding efforts of other licensees that have met the Commission’s 800 MHz band reconfiguration deadlines, with a consequent delay of the overall program. We therefore afford a high degree of scrutiny to the reasons licensees advance for extensions of time.

4. In the instant matter, the extensions of time requested are relatively modest and it is apparent that the licensee has exercised diligence in obtaining cost proposals from its vendor. Moreover, we credit the licensee’s representation that grant of the requested extensions will not delay the overall reconfiguration process. We therefore are granting the requested extensions, with the caveat to the licensee that, upon submission of the cost proposals, it must diligently pursue the negotiation process with Sprint and timely conclude an FRA.

IV. ORDERING CLAUSES

5. Accordingly IT IS ORDERED that the Regents of the University of California SHALL SUBMIT to Sprint Corporation, a cost proposal for reconfiguration of its 800 MHz facilities at Riverside, California by November 22, 2013; at Santa Barbara, California by December 2, 2013; at Los Angeles, California by December 10, 2013 and at Irvine, California by December 20, 2013.

6. This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission’s rules, 47 C.F.R. §§ 0.191, 0.392.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm
Deputy Chief, Policy and Licensing Division
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⁴ *Id.* at 2.

⁵ *Id.*

⁶ 47 C.F.R. § 1.46.