

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

In the Matter of
Improving Public Safety Communications
in the 800 MHz Band
Key Communications, Inc.
Docket No. 02-55

ORDER

Adopted: December 6, 2013

Released: December 6, 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 filed by Key Communications, Inc. (Key) seeking an extension of time within which to file a rebanding cost proposal with Sprint Corporation (Sprint) as part of the Commission’s 800 MHz band reconfiguration initiative.

II. DISCUSSION

2. Key states that it is waiting on a cost related to subscriber equipment reconfiguration and FCC licensing work. Key states that it has a plan in place to deploy three returned sites with Sprint providing hardware once they have an agreement in place. Key requests a short extension of time until December 13, 2013 to submit its cost estimate to Sprint.

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.” 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 extension of time requested is relatively modest and it is apparent that the licensee has exercised diligence in attempting to comply with the Commission’s requirements.

1 Letter from Collins Key, Key Communications, Inc., to FCC (filed Nov. 25, 2013).

2 Id.

3 Id.

4 Id.

5 47 C.F.R. § 1.46.

6 See Regents of the University of California, WT Docket 02-55, Order, DA 13-2234 (PSHSB rel. Nov. 21, 2013).

We therefore are granting the requested extension, with the caveat to the licensee that, upon submission of the cost proposal, it must diligently pursue the negotiation process with Sprint and timely conclude a Frequency Reconfiguration Agreement.

#### **IV. ORDERING CLAUSES**

5. Accordingly, IT IS ORDERED that the Request for Extension filed by Key Communications, Inc., IS GRANTED.

6. IT IS FURTHER ORDERED that Key Communications, Inc., SHALL SUBMIT to Sprint Corporation, a cost proposal for reconfiguration of 800 MHz facilities by December 13, 2013.

7. 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  
Public Safety and Homeland Security Bureau