

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

In the Matter of )
COACHELLA VALLEY WATER DISTRICT, ) WT Docket No. 02-55
CALIFORNIA )

ORDER

Adopted: April 16, 2014

Released: April 16, 2014

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

1. On March 31, 2014 Coachella Valley Water District, California (Coachella) filed its second request for an extension of time within which to provide a cost estimate for reconfiguration of its 800 MHz communications system to Sprint Corporation (Sprint) and the 800 MHz Transition Administrator (TA). Coachella, which first requested an extension of time until March 31, 2014, now requests a further extension until August 31, 2014. Coachella’s cost estimate was initially due on February 3, 2014.

2. Coachella states that the requested extension is necessary because Coachella delayed signing its Planning Funding Agreement (PFA) with Motorola Solutions, Inc. (Motorola) until “just recently.” It claims that Motorola estimates that it will provide a Statement of Work (SOW) to Coachella by August 8, 2014 and that, based on the SOW, Coachella will produce a cost estimate by August 31, 2014. Previously, Coachella claimed that Motorola would produce a SOW by March 31, 2014. In its instant request for extension of time Coachella does not explain the 7 month delay in producing a cost estimate except to state that its PFA was approved “just recently.”

3. In fact, the Coachella PFA was approved at the “end of January” – not “just recently” – and Coachella represented that “with that approval in hand, “Motorola is able to begin the planning process,” with Coachella submitting its “SOW to Sprint by March 31, 2014.” In stating, at the end of March, that Coachella board approval was received “just recently” when that approval was actually received in January, Coachella strays uncomfortably close to misrepresentation.

4. In its instant request – its second – Coachella offers the same excuse for not timely producing a cost estimate as it offered the first time: its delay in executing a PFA. We are neither

1 Coachella Valley Water District, California, Request for Extension of Time filed Feb.3, 2014 (First Request).

2 Id. at 1.

3 Coachella Valley Water District, California, Request for Extension of Time filed Mar. 31, 2014 (Second Request).

4 First Request at 1.

5 Second Request at 1.

6 First Request at 2.

persuaded by that excuse a second time - nor convinced that Motorola – which first estimated it would “submit a draft SOW by mid-March”<sup>7</sup> now requires until August 8, 2014 to do the same work. Notably, Coachella’s requests lack any verification from Motorola of Coachella’s claims.

5. If Motorola, as Coachella represents,<sup>8</sup> began the planning process at the end of January, 2014 we see no reason why that process cannot be completed by mid-June. Therefore, we are ordering Coachella to produce a cost estimate to Sprint and the TA by June 30, 2014.

6. Should Coachella not produce a cost estimate to Sprint and the TA by June 30, 2014 for reasons outside its reasonable control, it shall file a further request for extension of time, supported by declarations under penalty of perjury, setting out the reasons for its non-compliance with this *Order*. The declarations shall be from a Coachella principal and, if delay is attributable to Motorola, from a management-level Motorola official. Any such request shall contain a firm schedule for completion of the cost estimate, itemized on a day-to-day basis. Additionally, Coachella shall report to the TA mediator each week, until the SOW is complete, on the status of the planning work.

7. Accordingly IT IS ORDERED that the Request for Extension of Time, filed March 31, 2014, by the Coachella Valley Water District, California, IS DENIED.

8. IT IS FURTHER ORDERED, that the Coachella Valley Water District, California, SHALL PRODUCE to Sprint Corporation and the 800 MHz Transition Administrator, a cost estimate for the reconfiguration of its 800 MHz system on or before June 30, 2014.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm  
Deputy Chief, Policy and Rules Division  
Public Safety and Homeland Security Bureau

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<sup>7</sup> *Id.*

<sup>8</sup> First Request at 1.