

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

In the Matter of
City of Mission, Texas
Licensee of Private Land Mobile Radio Station,
Call Sign WPRX477
WT Docket No. 02-55

Adopted: May 13, 2014

Released: May 13, 2014

ORDER

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

I. INTRODUCTION

1. Under consideration is the May 8, 2014 Request for Extension of Time to Submit Cost Estimate for Frequency Reconfiguration (Request) filed by the City of Mission, Texas (City) seeking an extension of time until May 27, 2014 to submit a cost estimate for the reconfiguration of the City's 800 MHz communications system. For the reasons set out below, we grant the City's request.

II. DISCUSSION

2. The City represents that its deadline for submission of a cost estimate to Sprint Corporation and the 800 MHz Transition Administrator for reconfiguration of its 800 MHz communications system is May 13, 2014, but that it will be unable to deliver the cost estimate on time because of delays by its vendor, Motorola Solutions (Motorola), such that Motorola will not produce the cost estimate to the City until May 12, 2014. The City claims that it will require 15 additional days to analyze the Motorola estimate and integrate it into the City's own cost estimate, a task that will require the involvement of technical and legal consultants.

3. Section 1.46(a) of the Commission's rules states that [i]t 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. Applying that scrutiny here, we find that the City has established good cause for the modest requested extension of time. Motorola's failure timely to deliver a cost estimate was a matter outside the

1Request at 1.

2 Id.

3 47 C.F.R. § 1.46(a).

4 Regents of the University of California, Order, 28 FCC Rcd 15920, 15921 (PSHSB 2013).

City's control and we credit the City's representation that "the City and its consultants have worked diligently with Motorola thus far to accomplish the planning tasks set out in the PFA [Planning Funding Agreement]"<sup>5</sup>

### III. DECISION

5. We find that the City has encountered an unforeseeable delay by its vendor, Motorola and that the extension requested amounts only to 11 working days, which is a reasonable time within which to evaluate the Motorola data, integrate it into the City's own estimated costs, effect any necessary changes, and file the overall cost estimate with Sprint and the 800 MHz Transition Administrator. The City should not anticipate Commission grant of any further extension request.

### IV. ORDERING CLAUSES

6. Accordingly IT IS ORDERED that that Request for Extension of Time filed May 7, 2014 by the City of Mission, Texas IS GRANTED.

7. IT IS FURTHER ORDERED that the City of Mission, Texas shall file its cost estimate with Sprint Corporation and the 800 MHz Transition Administrator on or before May 27, 2014.

8. 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

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<sup>5</sup> *Id.* at 2.