

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

In the Matter of)
)
City of Los Angeles Fire Department, California) WT Docket No. 02-55
Request for Waiver and Extension of Time)

ORDER

Adopted: June 3, 2014

Released: June 3, 2014

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

I. INTRODUCTION

1. Under consideration is the May 28, 2014 Request for Waiver to Provide Additional Time for Completing Planning and Submitting a Cost Estimate to Sprint Nextel and the 800 MHz Transition Administrator (Request) filed by the City of Los Angeles Fire Department, California (LAFD). LAFD seeks an extension of time until June 30, 2014 to submit a cost estimate for reconfiguration of its 800 MHz communications system. For the reasons set out below, the Request is granted.

II. BACKGROUND

2. LAFD claims that this additional time is no more than is necessary to complete the cost estimate and therefore a grant of this waiver will serve the public interest. LAFD states that it has “made significant progress in completing its planning.”¹ LAFD represents that “[b]oth system and subscriber inventory have been completed, and [LAFD’s] vendor, Motorola, recently provided [LAFD] with a reconfiguration implementation proposal [RIPA].”² Additionally, LAFD states that it “has made significant progress in planning [LAFD’s] internal costs, based on Motorola’s work proposal.”³ However, LAFD requests additional time to finalize internal costs and to complete internal reviews and approvals. LAFD states that it “has been delayed in part due to the very large number of emergency response activities [LAFD] has been required to undertake, triggered by unusual draught [sic] and unseasonable heat.”⁴

III. DECISION

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.”⁵ The Bureau has emphasized that the “import of

¹ Request at 1.

² *Id.*

³ *Id.* at 1-2.

⁴ *Id.* at 2.

⁵ 47 C.F.R. § 1.46(a).

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.”⁶

4. We have applied the requisite high degree of scrutiny to LAFD’s Request and find that LAFD has exercised diligence and credit LAFD’s representation that it has made significant progress in planning internal costs based on the Motorola RIPA. We also credit LAFD’s statement that its internal reviews and approvals have been delayed in part due to the very large number of emergency response activities that LAFD has been required to undertake in response to unseasonable heat and drought.

IV. ORDERING CLAUSES

5. Accordingly IT IS ORDERED, that the Further Request for Extension of Time to Submit Cost Estimate for Frequency Reconfiguration, submitted May 28, 2014 by the City of Los Angeles Fire Department, California, IS GRANTED.

6. IT IS FURTHER ORDERED, that the City of Los Angeles Fire Department, California shall file a cost estimate with Sprint Corporation and the 800 MHz Transition Administrator on or before June 30, 2014.

7. IT IS FURTHER ORDERED that, if the City of Los Angeles Fire Department, California fails to file a cost estimate with Sprint Corporation and the 800 MHz Transition Administrator by June 30, 2014, it shall file a further request for extension of time within which to do so, in which the City of Los Angeles Fire Department, California, sets forth its efforts to comply with the instant *Order*, being specific as to dates and descriptions of those efforts.

8. This action is taken under delegated authority pursuant to Sections 0.191(a) and 0.392 of the Commission's Rules, 47 C.F.R. §§ 0.191(a), 0.392.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm
Deputy Chief, Policy and Licensing Division
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⁶ Regents of the University of California, WT Docket No. 02-55, *Order*, 28 FCC Rcd 15920, 15921 (PSHSB 2013).