

In the Matter of)
)
 GENWEST LLC)
)
 Licensee of Industrial/Business Pool (IG) Station)
 WPZC367 at Las Vegas, Nevada)

⁵ 47 C.F.R. § 90.187(b)(2)(v).

Infrastructure Division (Division)⁶ sent a letter to the Enterprise Wireless Alliance (EWA),⁷ with copies to Genwest and Francis, regarding Francis's request.⁸ EWA responded that it believed that the Genwest modification application was coordinated in accordance with Commission rules and long-standing frequency coordination practices, but that Francis's complaint could be resolved by, *inter alia*, reducing Genwest's maximum authorized power on frequency 452.3125 MHz from six to four watts.⁹ Consequently, we proposed to modify the license for Station WPZC367 by reducing the maximum authorized power on frequency 452.3125 MHz from six to four watts.¹⁰

5. *Discussion.* The *Order Proposing Modification* was released on January 29, 2007. Genwest did not protest the proposed modification of its license within the requisite thirty-day time frame.¹¹ Accordingly, Genwest is deemed to have consented to the proposed modification.¹² Based on the record before us, we conclude that it is in the public interest to modify Genwest's station license for WPZC367 by reducing the maximum authorized power on frequency 452.3125 MHz from six watts to four watts.

6. *Conclusion and Ordering Clauses.* Accordingly, IT IS ORDERED that, pursuant to Sections 4(i) and 316(a) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 316(a) and Section 1.87 of Commission's Rules, 47 C.F.R. § 1.87, the license for Industrial/Business Pool Station WPZC367 BE MODIFIED by reducing the maximum authorized power on frequency 452.3125 MHz from six watts to four watts.

7. IT IS FURTHER ORDERED that this *Order of Modification* SHALL BE SENT by certified mail, return receipt requested, to Genwest, LLC, 1511 Apex Industrial Parkway, North Las Vegas, NV 89124.

8. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATION COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

⁶ Pursuant to a reorganization effective September 25, 2006, certain duties of the Public Safety and Critical Infrastructure Division were assumed by the Mobility Division. See Establishment of the Public Safety and Homeland Security Bureau, *Order*, 21 FCC Rcd 10867 (2006).

⁷ Subsequent to the coordination of the application at issue, ITA consolidated its operations with EWA. See Mark E. Crosby, *Letter*, 20 FCC Rcd 8552 (WTB PSCID 2005).

⁸ Letter dated June 5, 2005, from Scot Stone, Deputy Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, to Enterprise Wireless Alliance.

⁹ See Letter dated January 17, 2006, from Andre Cote, Senior Vice President, Enterprise Wireless Alliance to Scot Stone, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission.

¹⁰ See *Order Proposing Modification*, 21 FCC Rcd at 6359 ¶ 5. We concluded that the power reduction would not unduly disrupt Genwest's operations. *Id.*

¹¹ See 47 C.F.R. § 1.87(g)(1).

¹² See 47 C.F.R. § 1.87(h).