

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

In the Matter of )  
 )  
THE BOEING COMPANY )  
 )  
Licensee of Private Land Mobile Radio Station )  
WNLH288 )

**ORDER OF MODIFICATION**

**Adopted: August 17, 2010**

**Released: August 18, 2010**

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

**I. INTRODUCTION**

1. By this *Order of Modification*, we modify the license of the Boeing Company (Boeing) for Private Land Mobile Radio (PLMR) Station WNLH288 to reduce the maximum Effective Radiated Power (ERP) of base station location 6 (Bremerton, Washington) on the frequencies listed in Attachment I, as detailed below. We take this action pursuant to an earlier order proposing to modify Boeing's license.<sup>1</sup>

**II. BACKGROUND**

2. Boeing is licensed to operate PLMR Station WNLH288 at numerous locations throughout the State of Washington. Because Station WNLH288 operates in the 800 MHz band and is located within 140 kilometers of the border with Canada, it is subject to the provisions of the bilateral annex (Arrangement F) with Canada, which specifies the conditions under which 800 MHz PLMR stations may operate along the border.<sup>2</sup> Under Arrangement F, the ERP of stations in the border region is limited as a function of the height of their transmitting antennas above mean sea level. These ERP limits are codified in Section 90.619(c)(2) of the Commission's Rules.<sup>3</sup>

3. In an *Order Proposing Modification (OPM)* released May 14, 2010, we proposed to reduce the maximum ERP of base station location 6 on certain frequencies licensed under Call Sign WNLH288. The reduction in ERP proposed in the *OPM* was intended to bring this base station into compliance with

<sup>1</sup> See The Boeing Company, *Order Proposing Modification*, 25 FCC Rcd 4979 (WTB MD 2010) (*OPM*).

<sup>2</sup> See Arrangement Between the Dept. of Communications of Canada and the FCC of the United States Concerning the Use Along the US-Canada Border of the Band 806-890 MHz (Jan. 1994), as modified by attachment to letter from Robert W. McCaugern, Deputy Director General, Spectrum Engineering to Mr. Bruce Franca, Deputy Chief Engineer, Office of Engineering and Technology, Federal Communications Commission (Dec. 9, 1994).

<sup>3</sup> 47 C.F.R. § 90.619(c)(2).

the ERP limits of Section 90.619(c)(2) and Arrangement F on the frequencies listed in the *OPM*.<sup>4</sup> Boeing was afforded thirty days to protest the *OPM*.<sup>5</sup>

### III. DISCUSSION

4. Because Boeing failed to protest the proposed modification of its license within thirty days,<sup>6</sup> it is deemed to have consented to the proposed modification.<sup>7</sup> Based on the record in this matter, we hereby modify the authorization for PLMR Station WNLH288, as proposed in the *OPM*, to ensure compliance with international obligations and Commission rules. *See* Attachment I.

5. ACCORDINGLY, IT IS ORDERED, pursuant to Sections 4(i) and 316 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 316, and Section 1.87 of the Commission's Rules, 47 C.F.R. § 1.87 that the license for Private Land Mobile Radio Service Station WNLH288, held by the Boeing Company, BE MODIFIED by reducing the maximum Effective Radiated Power at base station location 6 from 430 watts to 350 watts on the frequencies listed in Attachment I to comply with Section 90.619(c)(2) of the Commission's Rules and Arrangement F.

6. IT IS FURTHER ORDERED that this *Order of Modification* SHALL BE SENT by certified mail, return receipt requested, to The Boeing Company, Launita Hernandez, P.O. Box 3707, Attn: Freq Mgt Svc, M/C 2T-22, Seattle, WA 98124-2207.

7. 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 and 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau

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<sup>4</sup> *OPM*, 25 FCC Rcd at 4980 ¶ 4.

<sup>5</sup> *Id.* at 4980 ¶ 5.

<sup>6</sup> *See* 47 C.F.R. § 1.87(g)(1).

<sup>7</sup> *See* 47 C.F.R. § 1.87(h); *see also OPM*, 25 FCC Rcd at 4980 ¶ 5.

## Attachment I

The maximum permitted ERP for PLMR station WNLH288 at the location listed below is limited to the value shown in the rightmost column

Call Sign	Location No.	Lat. (N)	Long. (W)	Licensed Frequency (MHz)	Maximum Permitted ERP (watts)
WNLH288	6	47° 32' 51.3"	122° 46' 57.5"	852.2625	350
WNLH288	6	47° 32' 51.3"	122° 46' 57.5"	853.7625	350