

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

|  |   |                                      |
|--|---|--------------------------------------|
| In the Matter of                             | ) |                                      |
|  | ) |                                      |
| ANADARKO PETROLEUM CORPORATION               | ) | FCC File Nos. 0005859105, 0005859428 |
|  | ) |                                      |
| CHARLES COUNTY, MARYLAND                     | ) | FCC File No. 0006283452              |
|  | ) |                                      |
| COMMONWEALTH OF VIRGINIA                     | ) | FCC File No. 0006276701              |
|  | ) |                                      |
| LOUISVILLE GAS AND ELECTRIC                  | ) | FCC File No. 0005804842              |
|  | ) |                                      |
| MARATHON PETROLEUM COMPANY LP                | ) | FCC File No. 0006121321              |
|  | ) |                                      |
| METROPOLITAN WASHINGTON AIRPORT<br>AUTHORITY | ) | FCC File No. 0005672318              |

**ORDER PROPOSING MODIFICATION**

**Adopted: October 14, 2014**

**Released: October 15, 2014**

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

1. *Introduction.* On our own motion, we initiate a proceeding to modify certain private coast and marine utility station licenses of Anadarko Petroleum Corporation (Anadarko) (Call Signs WQTI246, WQTI268); Charles County, Maryland (Charles County) (WQUM749); Commonwealth of Virginia (Virginia) (WHD870); Louisville Gas and Electric (Louisville) (WQRV577); Marathon Petroleum Company LP (Marathon) (WQTA429); and Metropolitan Washington Airport Authority (MWAA) (WQJC847). Specifically, we propose to modify the licenses to change the license expiration date to conform to the terms of the United States Coast Guard (Coast Guard) concurrence for the licensees to operate on Coast Guard frequencies.

2. *Background.* Between March 2013 and August 2014, the Wireless Telecommunications Bureau's Mobility Division granted, for the normal ten-year term,<sup>1</sup> the above-captioned applications for new or renewed authorizations to operate private coast or marine utility stations on one or more of the following frequencies: 157.050 MHz, 157.075 MHz, 157.100 MHz, 157.150 MHz, and 157.175 MHz. These frequencies are designated for Coast Guard use. Each application included a letter from the local Coast Guard District or Sector concurring with the proposed use of Coast Guard frequencies for the purpose of communicating with the Coast Guard on matters pertaining to safety, search and rescue, law enforcement, and environmental protection activities. The letters provided that the concurrence was for a five-year period, except that the Virginia letter specified an eight-year term.

3. *Discussion.* Non-Federal stations may be authorized to use Federal frequencies, but the non-Federal operation must conform with the conditions agreed to by the Federal Government.<sup>2</sup> Based on the information before us, we conclude that the above-captioned applications should not have been granted

<sup>1</sup> See 47 C.F.R. § 80.25(b).

<sup>2</sup> See 47 C.F.R. § 2.102(c).

for ten-year terms. We believe that Section 316(a)(1) of the Communications Act of 1934, as amended, provides the appropriate vehicle for resolving this matter.<sup>3</sup> Section 316(a) permits the Commission to modify a station license if the action will promote the public interest, convenience, and necessity.<sup>4</sup> In this connection, we note that a proposed modification under the circumstances presented would promote the public interest, convenience, and necessity by limiting the license terms to the period for which the Coast Guard concurred with use of Coast Guard frequencies. Further, we believe that such action would not unduly disrupt the licensees' current operations, because none of the proposed modified expiration dates is imminent. Thus, we believe that a modification of the licenses to change the expiration dates is appropriate under the circumstances presented.

4. Consequently, we propose to modify the licenses to change the expiration dates as follows:

| Licensee       | Call Sign | Current Expiration Date | Proposed Expiration Date |
|----------------|-----------|-------------------------|--------------------------|
| Anadarko       | WQTI246   | February 7, 2024        | August 5, 2018           |
| Anadarko       | WQTI268   | February 7, 2024        | August 5, 2018           |
| Charles County | WQUM749   | August 19, 2024         | June 30, 2019            |
| Virginia       | WHD870    | August 3, 2024          | June 10, 2022            |
| Louisville     | WQRV577   | August 1, 2023          | June 21, 2018            |
| Marathon       | WQTA429   | December 18, 2023       | November 4, 2018         |
| MWAA           | WQJC847   | May 16, 2023            | February 21, 2018        |

In accordance with Section 1.87(a) of the Commission's Rules,<sup>5</sup> we will not issue a modification order until the licensees have received notice of our proposed action and have had an opportunity to file a protest. To protest the modification, a licensee must, within thirty days of the release date of this *Order Proposing Modification*, submit a written statement with sufficient evidence to show that the modification would not be in the public interest. The protest must be filed with the Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., Room TW-A325, Washington, DC 20554.<sup>6</sup> If no protest is filed, licensees will have waived their right to protest the modification and will be deemed to have consented to the modification.

5. *Conclusion and Ordering Clauses.* For the reasons stated above, we conclude that the grant of the above-captioned applications was defective to the extent that the licenses were granted for normal ten-year terms instead of the term for which the Coast Guard concurred. Accordingly, we propose to modify the licenses to conform the license expiration dates to the terms of the Coast Guard concurrence for the licensees to operate on Coast Guard frequencies.

6. ACCORDINGLY, IT IS PROPOSED, pursuant to Sections 4(i) and 316(a) of the Communications Act of 1934, 47 U.S.C. §§ 154(i), 316, and Section 1.87 of the Commission's Rules, 47

<sup>3</sup> 47 U.S.C. § 316(a)(1).

<sup>4</sup> *Id.*

<sup>5</sup> 47 C.F.R. § 1.87(a).

<sup>6</sup> The address for FCC locations should be used only for documents filed by United States Postal Service first-class mail, Express Mail, Priority Mail, and hand-delivered or messenger-delivered documents. Documents sent by commercial overnight mail (other than United States Postal Service, Express Mail, and Priority Mail) should be addressed for delivery to 9300 East Hampton Drive, Capitol Heights, MD 20743.

C.F.R. § 1.87, that the licenses for Stations WQTI246, WQTI268, WQUM749, WHD870, WQRV577, WQTA429, and WQJC847 BE MODIFIED as set forth in paragraph 4.

7. IT IS FURTHER ORDERED that this *Order Proposing Modification* shall be sent by certified mail, return receipt requested, to Anadarko Petroleum Corporation, 1001 G Street NW, Suite 500 West, Washington, DC 20001, Attn Telecom; County of Charles, P.O. Box 2150, 10425 Audie Lane, La Plata, MD 20646, Attn Tony Rose; Commonwealth of Virginia, 11751 Meadowville Lane, Chester, VA 23836, Attn David Warner/Marine Resources; Louisville Gas and Electric, P.O. Box 32020, 820 West Broadway, Louisville, KY 40202, Attn John Pulliam; Marathon Petroleum Company LP, 539 South Main Street, Findlay, OH 45840, Attn Jamie Pustay; and Metropolitan Washington Airports Authority, 1 Aviation Circle, MA630, Washington, DC 20001-6000, Attn Jackie McKinney.

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 COMMUNICATIONS COMMISSION

Scot Stone  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau