

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

In the Matter of)
)
Improving Public Safety Communications in the) WT Docket No. 02-55
800 MHz Band)

Adopted: May 9, 2014

Released: May 9, 2014

ORDER

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

I. INTRODUCTION

1. Under consideration is the May 6, 2014 Request for Extension of Time (Request) filed by Orange County, California (County) seeking an extension of time until July 14, 2014 to submit a cost estimate for the reconfiguration of the County's 800 MHz communications system. For the reasons set out below, we grant the County's request.

II. DISCUSSION

2. Earlier, the Public Safety and Homeland Security Bureau granted the County an extension of time until June 22, 2014 to submit a cost estimate to Sprint Corporation (Sprint) and the 800 MHz Transition Administrator (TA). The County's assessment of when the cost estimate would be provided was premised on its vendor, Motorola Solutions, Inc. (Motorola), providing the County with a Statement of Work by May 22, 2014.¹ Recently, Motorola informed the County that it would be unable to meet the May 22, 2014 delivery date for the Statement of Work. Motorola attributes its inability to meet the delivery date to the County's system being "one of the [most] challenging Rebanding Planning projects we have done."² On May 2, 2014 The Motorola representative informed the County that "several Engineering deliverables [] remain incomplete at this time and [] I do not believe it is possible to finalize our proposal with accuracy and completeness in the allotted time."³ Motorola commits to delivery of the Statement of Work to the County "no later than June 13th, certainly quicker if possible."⁴ The County submits that it will take a month to review and revise the Statement of Work before filing it with Sprint and the TA.⁵

¹ Request at 1.

² *Id.* at attachment (email from Randy Brooks, Motorola, to Denis Marin, *et al.*, May 2, 2014).

³ *Id.*

⁴ *Id.*

⁵ Request at 1.

3. Section 1.46(a) of the Commission's rules⁶ 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."⁷

III. DECISION

4. We have applied the requisite high degree of scrutiny to the County's Request and find that the County has exercised diligence and credit the County's representation that it exerted "best efforts to timely supply all information necessary for the creation of the Statement of Work."⁸ It is apparent that the scope of effort required to produce the Statement of Work has overtaxed Motorola's resources through no fault of the County. While it is problematic whether the County actually requires one month to review, revise if necessary, and accept the Statement of Work, we take notice of the size of the County's system and credit its representation that the time requested is necessary.

IV. ORDERING CLAUSE

5. Accordingly IT IS ORDERED that that Request for Extension of Time filed May 6, 2014 by Orange County, California IS GRANTED.

6. IT IS FURTHER ORDERED that Orange County shall file its cost estimate with Sprint Corporation and the 800 MHz Transition Administrator on or before July 14, 2014.

7. 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

⁶ 47 C.F.R. § 1.46(a).

⁷ Regents of the University of California, *Order*, 28 FCC Rcd 15920, 15921 (PSHSB 2013).

⁸ Request at 2.