

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

In the Matter of)
)
City of Los Angeles Police Department) WT Docket No. 02-55
)
Licensee of Stations KGE571 and WXZ989)
)

ORDER

Adopted: June 4, 2014

Released: June 4, 2014

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

I. INTRODUCTION

1. Under consideration is the May 30, 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 Police Department (LAPD). LAPD seeks an extension of time, until June 30, 2014 within which to submit a cost estimate for reconfiguration of its 800 MHz communications system. For the reasons set out below we grant the Request and direct LAPD to file its cost estimate with Sprint Nextel Corp. (Sprint) and the 800 MHz Transition Administrator (TA) not later than June 30, 2014.

II. BACKGROUND

2. LAPD represents that its planning activities have been “complicated by difficulties in validating the subscriber inventory,” but that it has completed that work.¹ It reports that its vendor, Motorola, has completed a draft implementation proposal currently under review by LAPD.² It also submits that it will complete its internal reviews and approvals during the “next several weeks so that Licensee will be able to submit a final reconfiguration cost estimate to Sprint by June 30, 2014.”³

III. DISCUSSION

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.”⁴ The Bureau has emphasized that 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.”⁵

¹ Request at 1.

² *Id.*

³ *Id.* at 1-2.

⁴ 47 C.F.R. § 1.46(a).

⁵ Regents of the University of California, *Order*, 28 FCC Rcd 15920, 15921 (PSHSB 2013).

4. Applying the requisite scrutiny to LAPD's Request we initially questioned why, with diligence, LAPD could not file its cost estimate before June 30, 2014. LAPD has all the information necessary for filing a cost estimate, *i.e.*, it concedes that it has completed its inventory and has the Motorola cost proposal in hand. LAPD, however, recently represented to the TA mediator that the Los Angeles IT Department is preparing the cost estimate and will require more time than first expected to finalize the LAPD internal costs and to complete its internal and financial review, which LAPD first believed would be complete by June 16, 2014.⁶ Therefore, because the requested extension is relatively modest, and with the understanding that we do not contemplate granting LAPD further extensions of time within which to submit a cost estimate, we are granting its Request.

IV. ORDERING CLAUSE

5. Accordingly IT IS ORDERED, that the Request for Waiver to Provide Additional Time for Completing Planning and Submitting a Cost Estimate to Sprint Nextel and the 800 MHz Transition Administrator, filed May 30, 2104, by the City of Los Angeles Police Department IS GRANTED.

6. IT IS FURTHER ORDERED that the City of Los Angeles Police Department shall file a cost estimate with Sprint Corporation and the 800 MHz Transition Administrator no later than June 30, 2014.

7. 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
Public Safety and Homeland Security Bureau

⁶ See email from Jonathan J. Nadler, Esq., TA Mediator, to Michael J. Wilhelm, Esq., FCC, June 3, 2104.