**Before the**

**Federal Communications Commission**

**Washington, D.C. 20554**

|  |  |  |
| --- | --- | --- |
| In the Matter of  County of Los Angeles, Annual Report and Request for Extension of Los Angeles, California (2018); Annual Report and Request for Extension of Los Angeles, California (2020)  County of Los Angeles, Request for Waiver of section 90.155(g) of the Commission’s Rules  County of Los Angeles, Request for Extended Implementation | **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)** | File Nos. 0008483760 et al.  File No. 0008485258  File Nos. 0008306279 et al. |

**Order**

**Adopted: August 9, 2021 Released: August 9, 2021**

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

# Introduction

1. This Order addresses the above-captioned requests filed on behalf of the County of Los Angeles, California (County), seeking waiver of section 90.629 of the Commission’s rules[[1]](#footnote-3) to extend the construction completion date for multiple licenses in the 470-512 MHz band (T-Band) that are to be integrated into the Los Angeles Regional Interoperable Communications System (LA-RICS).[[2]](#footnote-4) The pending requests include:

* A request for extension of time to construct 78 licenses from December 31, 2018 to December 31, 2020,[[3]](#footnote-5) amended by a request for a further extension until December 31, 2022;[[4]](#footnote-6)
* A request for waiver of section 90.155(g) of the Commission’s rules[[5]](#footnote-7) to allow acceptance of a late-filed construction extension request for call sign WQXE728;[[6]](#footnote-8) and
* Ten applications to modify various technical parameters for ten licenses (a subset of the 78 licenses referenced above), and a request for an extended implementation deadline of September 20, 2022 to complete the proposed modifications.[[7]](#footnote-9)

1. For the reasons discussed below, we grant the County’s extension requests associated with the applications listed in Appendix A. We also grant the request for waiver to accept the untimely-filed extension request for call sign WQXE728. Finally, we grant the request for modification and extended implementation with respect to the licenses listed in Appendix B, but on our own motion, we extend the implementation deadline until December 31, 2022 in order to establish a uniform expiration date for all the licenses at issue.

# Background

1. The LA County T-Band system consists of three subsystems: (1) the LA County Sheriff’s Department System consisting of 55 contiguous wideband (25 kilohertz) channels in the TV Channel 16 band (482-488 MHz) for the voice system and ten non-contiguous channels in the TV Channel 14 band (470-476 MHz) for the data system[[8]](#footnote-10) (2) an interoperable voice radio system in the TV Channel 15 band (476-482 MHz) to be used by all public safety agencies in the County;[[9]](#footnote-11) and (3) a narrowband system in the TV Channel 14/15 bands.[[10]](#footnote-12)
2. On September 29, 2016, the Public Safety and Homeland Security Bureau (Bureau) granted the County a construction extension for its T-Band system from December 31, 2016 to December 31, 2018.[[11]](#footnote-13) The Bureau stated that strict enforcement of the December 31, 2016 deadline “would be inequitable and contrary to the public interest, as cancellation of the County’s licenses would strand investment of tax and federal grant dollars and would squander facilities already under construction.”[[12]](#footnote-14)
3. As of December 31, 2018, the County reported that it had constructed 20 of the 59 sites of its T-Band system.[[13]](#footnote-15) As of April 20, 2020, the County stated that “the spectrum is being heavily used by L.A. County, with more than 22,000 mobile units presently in operation at forty-nine (49) transmitter sites, . . .”[[14]](#footnote-16) The County stated that “construction had been continuing on twenty-nine (29) new transmitter sites with two of the newly constructed sites now in operation (operations continue at five existing sites).”[[15]](#footnote-17) As of December 29, 2020, the County states that “construction for the upgraded system has been completed at thirty-two (32) transmitter sites. Construction continues at fifteen (15) sites, with the final eleven (11) sites scheduled to complete by fall of 2021.”[[16]](#footnote-18)
4. The County states that “despite the considerable progress made to date,” it has experienced delays due to circumstances beyond its control and requires additional time to complete construction of the County-wide system.[[17]](#footnote-19) The County attributes delays to four factors.
5. First, the County cites uncertainty that existed prior to this year concerning the impact on T-Band of section 6103 of the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act). This statutory provision, which has since been repealed but was in effect when the County filed its extension request, required the Commission, not later than February 2021, to: (1) reallocate public safety spectrum in the T-Band; (2) begin a system of competitive bidding to grant new initial licenses for such spectrum, and (3) relocate public safety users not later than two years after said competitive bidding is completed.[[18]](#footnote-20)
6. Second, the County contends that interference to its operations on Channel 15 from a Mexican television station on the same channel has further delayed system implementation.[[19]](#footnote-21) The County states that it “has been forced to delay its Channel 15 implementation, and research methodologies to eliminate the interference.”[[20]](#footnote-22) The County asserts that in addition to causing implementation delays, the interference may require a system redesign and potential reapportionment of already deployed equipment, at a significant cost, to cure the interference.[[21]](#footnote-23) The County states that it is proceeding with site acquisition and construction activities while it continues “efforts to negotiate interference mitigation and redesign the system (where possible) with regard to Tijuana interference.”[[22]](#footnote-24)
7. Third, the County cites significant delays due to interference from nearby broadcast television stations on Channels 15 and 16.[[23]](#footnote-25) Specifically, the County indicates that it has experienced interference from three broadcast stations: (1) Station KHSC-LD, TV Channel 16, Fresno, California; (2) Station KDTF-LD, TV Channel 16, San Diego, California; and (3) Station KTLD-CD, TV Channel 15, Bakersfield, California.[[24]](#footnote-26) The County claims that it has been forced to redesign its system in an effort to minimize this interference.[[25]](#footnote-27) The County indicates that efforts to resolve the interference with the TV stations has diverted resources away from construction, causing delays in deployment.[[26]](#footnote-28)
8. Finally, the County cites the COVID-19 pandemic as an additional impediment to system completion.[[27]](#footnote-29) The County indicates that due to the pandemic, its system build has been slowed by: (1) shortage of staff needed to complete narrowbanding of the Sheriff’s Department radio system on Channels 14 and 16, and to accompany Motorola personnel to sites where required; (2) budgetary freezes and cutbacks due to reduced County revenues eliminating overtime work; and (3) delays in delivery of equipment.[[28]](#footnote-30)
9. The County requests a final build out date of December 31, 2022 for all 78 of its licenses, citing the complexities in deploying a large communication system, including design, install, and testing.[[29]](#footnote-31) The County submits that it “has demonstrated all of the ‘good faith’ factors cited by the Commission in prior extension cases.”[[30]](#footnote-32) The County notes that the extension period it seeks is a reasonable amount of time to complete the project given the totality of the circumstances.[[31]](#footnote-33) The County also asserts that the fact that one of the systems has been operational since the 1980s, and that the second is partially constructed, demonstrates that it is not warehousing spectrum[[32]](#footnote-34)

# Discussion

1. To obtain a waiver of the Commission’s rules, a petitioner must demonstrate either that: (i) the underlying purpose of the rule(s) would not be served or would be frustrated by application to the present case, and that a grant of the requested waiver would be in the public interest;[[33]](#footnote-35) or (ii) in view of unique or unusual factual circumstances of the instant case, application of the rule(s) would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative.[[34]](#footnote-36) An applicant seeking a waiver faces a high hurdle and must plead with particularity the facts and circumstances that warrant a waiver.[[35]](#footnote-37)
2. *System-Wide Extension Request*. The County has demonstrated reasonable diligence in constructing its system considering the factors it has cited as impeding timely construction. The unusual factual circumstances the County has encountered satisfy the second prong of the Commission’s waiver standard, and we agree with the County that “this system represents an enormously complex and substantial undertaking” that warrants more time for completion.[[36]](#footnote-38) The County has faced significant delays resulting from factors outside its control, including the COVID-19 pandemic and the uncertainty created by the T-Band relocation legislation prior to its repeal. In light of these factors, we find that strict enforcement of the prior construction deadlines would be both inequitable and contrary to the public interest in that it would result in a waste of tax and federal grant dollars, strand investment in facilities already under construction, and, most importantly, deprive the citizens and first responders in the greater Los Angeles area of a critically needed, interoperable public safety communications system. Accordingly, we grant the County’s extension requests and extend the construction deadline to December 31, 2022 for the 78 licenses and applications listed in Appendix A.
3. *Request to Accept Late-Filed Application*. The County’s request for extension of time to construct license WQXE728 was late-filed one business day after the construction deadline had expired.[[37]](#footnote-39) Although the extension requests for all of the County’s other licenses were timely filed, the County states that the licensing assistant who filed the extension requests was recovering from major surgery and overlooked the extension request for this license.[[38]](#footnote-40) Once the County recognized its error, it immediately filed the extension request for call sign WQXE728 and requests that we accept the late filing.[[39]](#footnote-41)
4. We grant the County’s request and accept the late-filed extension request for license WQXE728. The County filed timely extension requests for all but one of its 78 licenses, and its late filing by one business day of the one remaining request is a *de minimis* error that did not adversely affect the public interest.
5. *License Modification and Extended Implementation Request*. Finally, we grant the County extended implementation to complete modification of the facilities specified in ten applications for modification of licenses listed in Appendix B. The County has demonstrated that these modifications are necessary to mitigate interference the County is receiving from the Channel 15 television station in Tijuana, Mexico. Although every reasonable effort has been made to mitigate the interference from this station through other means, including contacts with Mexican authorities, the interference persists and can only be mitigated by adjustments to locations, antenna height, and transmitter power of certain stations in the County’s system. Because the ten licenses being modified are part of the 78 licenses subject to the extension request, on our own motion, we extend the deadline for completion of the associated facilities from the requested date of September 30, 2022 to December 31, 2022 to harmonize the build-out date for all facilities covered by this Order.

# Ordering Clauses

1. Accordingly, IT IS ORDERED pursuant to sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r), and sections 1.925, 1.946(e), and 90.629 of the Commission’s rules, 47 CFR §§ 1.925, 1.946(e), 90.629, that the requests for waiver filed by the County of Los Angeles, California on December 31, 2018, and December 29, 2020 in connection with applications File Nos. 0008483760, *et al*., listed in Appendix A and the Request for Extended Implementation filed by the County of Los Angeles, California on August 3, 2018 in connection with applications File Nos. 0008306279 *et al*. listed in Appendix B, ARE GRANTED, and the applications SHALL BE PROCESSED consistent with this Order and the Commission’s rules.
2. IT IS FURTHER ORDERED pursuant to sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r), and sections 1.925, 1.946(e), and 90.629 of the Commission’s rules, 47 CFR §§ 1.925, 1.946(e), 90.629, that the construction deadline for the facilities represented by the call signs listed in Appendices A and B is, hereby, extended to **December 31, 2022.**
3. IT IS FURTHER ORDERED pursuant to sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r), and sections 1.925 and 90.155(g) of the Commission’s rules, 47 CFR §§ 1.925, 90.155(g), that the request for waiver filed by the County of Los Angeles, California on January 2, 2019, as amended, in connection with application File No. 0008485258, call sign WQXE728, IS GRANTED.
4. This action is taken under delegated authority pursuant to sections 0.191 and 0.392 of the Commission’s rules, 47 CFR §§ 0.191, 0.392.

FEDERAL COMMUNICATIONS COMMISSION

John A. Evanoff

Chief, Policy and Licensing Division

Public Safety and Homeland Security Bureau

**APPENDIX A**

**Extension Request Applications**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Call Sign** | **File Number** | **Amendment Date** | **Extension Date Granted** |
| 1 | WPLU218 | 0008483760 | 2/25/2021 | 12/31/2022 |
| 2 | WPLU220 | 0008483762 | 2/16/2021 | 12/31/2022 |
| 3 | WPLU221 | 0008483764 | 2/16/2021 | 12/31/2022 |
| 4 | WPLU224 | 0008483785 | 2/16/2021 | 12/31/2022 |
| 5 | WPLU230 | 0008483789 | 2/17/2021 | 12/31/2022 |
| 6 | WPLU231 | 0008483791 | 2/18/2021 | 12/31/2022 |
| 7 | WPLU232 | 0008483801 | 2/18/2021 | 12/31/2022 |
| 8 | WPLU234 | 0008483803 | 2/18/2021 | 12/31/2022 |
| 9 | WPMK204 | 0008483807 | 2/18/2021 | 12/31/2022 |
| 10 | WPMK277 | 0008483809 | 2/18/2021 | 12/31/2022 |
| 11 | WPMK278 | 0008483821 | 2/18/2021 | 12/31/2022 |
| 12 | WPMK279 | 0008483825 | 2/18/2021 | 12/31/2022 |
| 13 | WPMK280 | 0008483831 | 2/18/2021 | 12/31/2022 |
| 14 | WPMK281 | 0008483836 | 2/18/2021 | 12/31/2022 |
| 15 | WPMK282 | 0008483840 | 2/18/2021 | 12/31/2022 |
| 16 | WPMM805 | 0008483843 | 2/18/2021 | 12/31/2022 |
| 17 | WPMM807 | 0008483845 | 2/18/2021 | 12/31/2022 |
| 18 | WPMW796 | 0008483857 | 2/18/2021 | 12/31/2022 |
| 19 | WPNP716 | 0008483862 | 2/18/2021 | 12/31/2022 |
| 20 | WPNP718 | 0008483755 | 2/18/2021 | 12/31/2022 |
| 21 | WQJX500 | 0008483864 | 2/18/2021 | 12/31/2022 |
| 22 | WQJX501 | 0008483865 | 2/18/2021 | 12/31/2022 |
| 23 | WQJX502 | 0008483866 | 2/18/2021 | 12/31/2022 |
| 24 | WQJX503 | 0008483870 | 2/18/2021 | 12/31/2022 |
| 25 | WQJX504 | 0008483871 | 2/18/2021 | 12/31/2022 |
| 26 | WQJX505 | 0008483874 | 2/18/2021 | 12/31/2022 |
| 27 | WQJX506 | 0008483878 | 2/18/2021 | 12/31/2022 |
| 28 | WQJX507 | 0008483881 | 2/18/2021 | 12/31/2022 |
| 29 | WQJX508 | 0008483889 | 2/18/2021 | 12/31/2022 |
| 30 | WQJX509 | 0008483891 | 2/18/2021 | 12/31/2022 |
| 31 | WQJX510 | 0008483894 | 2/18/2021 | 12/31/2022 |
| 32 | WQJX511 | 0008483895 | 2/19/2021 | 12/31/2022 |
| 33 | WQJX512 | 0008483896 | 2/19/2021 | 12/31/2022 |
| 34 | WQJX513 | 0008483897 | 2/19/2021 | 12/31/2022 |
| 35 | WQJX514 | 0008483898 | 2/19/2021 | 12/31/2022 |
| 36 | WQJX515 | 0008483901 | 2/19/2021 | 12/31/2022 |
| 37 | WQJX516 | 0008483902 | 2/19/2021 | 12/31/2022 |
| 38 | WQJX517 | 0008483759 | 2/19/2021 | 12/31/2022 |
| 39 | WQJX518 | 0008483905 | 2/19/2021 | 12/31/2022 |
| 40 | WQJX519 | 0008483909 | 2/19/2021 | 12/31/2022 |
| 41 | WQJX520 | 0008483910 | 2/19/2021 | 12/31/2022 |
| 42 | WQJX521 | 0008483930 | 2/19/2021 | 12/31/2022 |
| 43 | WQJX522 | 0008483932 | 2/19/2021 | 12/31/2022 |
| 44 | WQJX523 | 0008483935 | 2/19/2021 | 12/31/2022 |
| 45 | WQJX524 | 0008483938 | 2/19/2021 | 12/31/2022 |
| 46 | WQJX525 | 0008483940 | 2/19/2021 | 12/31/2022 |
| 47 | WQJX526 | 0008483944 | 2/19/2021 | 12/31/2022 |
| 48 | WQJX527 | 0008483946 | 2/19/2021 | 12/31/2022 |
| 49 | WQJX528 | 0008483947 | 2/19/2021 | 12/31/2022 |
| 50 | WQJX529 | 0008483948 | 2/19/2021 | 12/31/2022 |
| 51 | WQJX530 | 0008483951 | 2/19/2021 | 12/31/2022 |
| 52 | WQJX531 | 0008483952 | 2/19/2021 | 12/31/2022 |
| 53 | WQJX532 | 0008483953 | 2/19/2021 | 12/31/2022 |
| 54 | WQJX533 | 0008483954 | 2/22/2021 | 12/31/2022 |
| 55 | WQJX534 | 0008483955 | 2/25/2021 | 12/31/2022 |
| 56 | WQJX535 | 0008483957 | 2/25/2021 | 12/31/2022 |
| 57 | WQJX536 | 0008483960 | 2/25/2021 | 12/31/2022 |
| 58 | WQJX537 | 0008483962 | 2/25/2021 | 12/31/2022 |
| 59 | WQJX538 | 0008483963 | 2/25/2021 | 12/31/2022 |
| 60 | WQJX539 | 0008483964 | 2/25/2021 | 12/31/2022 |
| 61 | WQJX540 | 0008483965 | 2/25/2021 | 12/31/2022 |
| 62 | WQJX541 | 0008483966 | 2/25/2021 | 12/31/2022 |
| 63 | WQJX542 | 0008483967 | 2/25/2021 | 12/31/2022 |
| 64 | WQJX543 | 0008483968 | 2/25/2021 | 12/31/2022 |
| 65 | WQJX544 | 0008483971 | 2/25/2021 | 12/31/2022 |
| 66 | WQJX545 | 0008483972 | 2/25/2021 | 12/31/2022 |
| 67 | WQJX546 | 0008483974 | 2/25/2021 | 12/31/2022 |
| 68 | WQJX547 | 0008483977 | 2/25/2021 | 12/31/2022 |
| 69 | WQJX548 | 0008483978 | 2/25/2021 | 12/31/2022 |
| 70 | WQJX549 | 0008483979 | 2/25/2021 | 12/31/2022 |
| 71 | WQJX550 | 0008483981 | 2/25/2021 | 12/31/2022 |
| 72 | WQJX551 | 0008483982 | 2/25/2021 | 12/31/2022 |
| 73 | WQJX552 | 0008483983 | 2/25/2021 | 12/31/2022 |
| 74 | WQJX553 | 0008483985 | 2/25/2021 | 12/31/2022 |
| 75 | WQJX554 | 0008483986 | 2/25/2021 | 12/31/2022 |
| 76 | WQJX556 | 0008483988 | 2/25/2021 | 12/31/2022 |
| 77 | WQJX557 | 0008483990 | 2/25/2021 | 12/31/2022 |
| 78 | WQXE728 | 0008485258\* | 2/25/2021 | 12/31/2022 |

\* Initially filed 1/2/2019

**APPENDIX B**

**Modification Applications with Extended Implementation**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Call Sign** | **File Number** | **Extension Date Granted** |
| 1 | WQJX501 | 0008924333 | 12/31/2022 |
| 2 | WQJX527 | 0008928247 | 12/31/2022 |
| 3 | WQJX502 | 0008928252 | 12/31/2022 |
| 4 | WQJX504 | 0008928282 | 12/31/2022 |
| 5 | WQJX526 | 0008928299 | 12/31/2022 |
| 6 | WQJX528 | 0008928431 | 12/31/2022 |
| 7 | WQJX511 | 0008929283 | 12/31/2022 |
| 8 | WQJX508 | 0008955690 | 12/31/2022 |
| 9 | WQJX513 | 0008927073 | 12/31/2022 |
| 10 | WQJX516 | 0008306279 | 12/31/2022 |

1. 47 CFR § 90.629. [↑](#footnote-ref-3)
2. *See* File Nos. 0008483760 *et al*. (filed Dec. 31, 2018 – Jan. 2, 2019, amended Feb. 16-25, 2021), attached Annual Report and Request for Extension of Los Angeles, California (dated Dec. 31, 2018) (2018 Extension Request); attached Annual Report and Request for Extension of Los Angeles, California (dated Dec. 29, 2020) (2020 Extension Request). For a list of call signs and file numbers associated with the extension requests, *see infra* Appendix A. [↑](#footnote-ref-4)
3. 2018 Extension Request at 7. [↑](#footnote-ref-5)
4. 2020 Extension Request at 9. [↑](#footnote-ref-6)
5. 47 CFR § 90.155(g). [↑](#footnote-ref-7)
6. File No. 0008485258 (filed Jan. 2, 2019, amended Jan. 28, 2019, Feb. 25, 2021), attached Exhibit B, Waiver (WQXE728 Waiver). *See* 47 CFR § 90.155(g). [↑](#footnote-ref-8)
7. *See* File Nos. 0008306279 *et al*. (filed Aug. 3, 2018 – Jan. 27, 2020), attached Request for Extended Implementation. For a complete list of call signs and file numbers associated with the slow growth request, *see infra* Appendix B. These licenses are a subset of the licenses listed in Appendix A. The technical modifications include shifts in transmitter site coordinates, changes to height and power, and addition of 9.8 kilohertz bandwidth emission designators. [↑](#footnote-ref-9)
8. 2018 Extension Request at 2-3. [↑](#footnote-ref-10)
9. 2018 Extension Request at 3-5. Because 47 CFR § 90.303 does not allocate Channel 15 for the Private Land Mobile Radio Service in the Los Angeles area, the County obtained its Channel 15 licenses by waiver pursuant to section 337 of the Communications Act of 1934, as amended (47 USC § 337(c)). *See County of Los Angeles, California*, Order, 23 FCC Rcd 18389 (PSHSB 2008). [↑](#footnote-ref-11)
10. 2018 Extension Request at 5. [↑](#footnote-ref-12)
11. Letter from David G. Simpson, Rear Admiral, USN (Ret.), Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission to Alan S. Tilles, Esq., Shulman Rogers Gandal Pordy & Ecker, P.A., 31 FCC Rcd 10858 (PSHSB 2016) (2016 FCC Letter). [↑](#footnote-ref-13)
12. 2016 FCC Letter, 23 FCC Rcd at 18391. [↑](#footnote-ref-14)
13. 2018 Extension Request at 6. [↑](#footnote-ref-15)
14. On April 22, 2020, the County filed an additional progress report on construction progress to date, attached to the 78 call signs listed in Appendix A. *See* call signs WPLU218 *et al*., attached Annual Report and Request for Extension of Los Angeles, California, at 4 (dated Apr. 20, 2020, filed Apr. 22, 2020) (April 2020 Report). [↑](#footnote-ref-16)
15. April 2020 Report at 4. [↑](#footnote-ref-17)
16. 2020 Extension Request at 7. [↑](#footnote-ref-18)
17. 2020 Extension Request at 9. [↑](#footnote-ref-19)
18. 2018 Extension Request at 7-8; 2020 Extension Request at 9. *See* Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act). Pub. L. No. 112-96, 126 Stat. 156. On December 27, 2020, section 902 of the Consolidated Appropriations Act, 2021 repealed Section 6103 of the Spectrum Act. *See* Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, Division FF, Title IX, section 902 (2020). [↑](#footnote-ref-20)
19. 2018 Extension Request at 8; 2020 Extension Request at 10. [↑](#footnote-ref-21)
20. 2018 Extension Request at 9; 2020 Extension Request at 10. [↑](#footnote-ref-22)
21. 2018 Extension Request at 9; 2020 Extension Request at 10. [↑](#footnote-ref-23)
22. April 2020 Report at 5. [↑](#footnote-ref-24)
23. April 2020 Report at 4. [↑](#footnote-ref-25)
24. 2020 Extension Request at 10-11. [↑](#footnote-ref-26)
25. April 2020 Report at 5. [↑](#footnote-ref-27)
26. 2020 Extension Request at 11. [↑](#footnote-ref-28)
27. 2020 Extension Request at 8. [↑](#footnote-ref-29)
28. 2020 Extension Request at 8. [↑](#footnote-ref-30)
29. 2020 Extension Request at 9. [↑](#footnote-ref-31)
30. 2018 Extension Request at 11; 2020 Extension Request at 12 *citing* *Texas Utilities Services, Inc*., Order, 18 FCC Rcd 11051 (WTB 2003). [↑](#footnote-ref-32)
31. 2018 Extension Request at 11, 2020 Extension Request at 13. [↑](#footnote-ref-33)
32. *Id*. The operational system is the Los Angeles County Sheriff’s Department System. *Id*. at 2-3. [↑](#footnote-ref-34)
33. 47 CFR § 1.925(b)(3)(i). [↑](#footnote-ref-35)
34. 47 CFR § 1.925(b)(3)(ii). [↑](#footnote-ref-36)
35. *WAIT Radio v. FCC*, 413 F.2d 1153, 1157 (D.C. Cir. 1969) (*WAIT Radio*), *aff’d*, 459 F.2d 1203 (1973), *cert. denied*, 409 U.S. 1027 (1972) (*citing Rio Grande Family Radio Fellowship, Inc. v. FCC*, 406 F.2d 664 (D.C. Cir.1968)); *Birach Broad. Corp*., Memorandum Opinion and Order, 18 FCC Rcd 1414, 1415 (2003). [↑](#footnote-ref-37)
36. 2018 Extension Request at 10, 2020 Extension Request at 12. [↑](#footnote-ref-38)
37. 47 CFR § 90.155(g) requires that “[e]xtensions of time must be filed prior to the expiration of the construction period.” The County requests that we waive this requirement to enable acceptance of the late-filed extension. WQXE728 Waiver at 1. [↑](#footnote-ref-39)
38. WQXE728 Waiver at 1. [↑](#footnote-ref-40)
39. WQXE728 Waiver at 1. The County submitted File No. 0008485258 with the 2018 Extension Request on January 2, 2019. [↑](#footnote-ref-41)