**DA 25-446**

**Released: May 23, 2025**

**PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON REQUESTS FOR WAIVER FILED BY THE TOWN OF TIVERTON, RHODE ISLAND TO ADD A T-BAND BASE STATION**

**File No. 0010645349**

**Comments Due: June 12, 2025**

**Reply Comments Due: June 23, 2025**

The Public Safety and Homeland Security Bureau (Bureau) seeks comment on the above-captioned application and waiver requests filed by the Town of Tiverton, Rhode Island (Tiverton, or the Town). The Town proposes to add a base station to its public safety radio system operating in the 470-512 MHz band (T-Band). [[1]](#footnote-3) Per section 1.925 of the Commission’s rules,[[2]](#footnote-4) the Town seeks waiver relief of section 90.305(a) of the Commission’s rules because it proposes to operate a base station located more than 80 kilometers (50 miles) outside of the city center coordinates of Boston, Massachusetts,[[3]](#footnote-5) and of section 90.307(d) of the Commission’s rules to operate this base station located less than 145 kilometers (90 miles) from an adjacent channel television (TV) station.[[4]](#footnote-6)

Tiverton operates a single base station radio system under call sign WPMC285 on frequency pair 482/485.9625 MHz in the TV Channel 16 band (482-488 MHz). The Town states that it “is in dire need of improved coverage and building penetration in its historical downtown business district.”[[5]](#footnote-7) Tiverton states that the new transmitter site “will enhance coverage of the public safety radio system within the Town and surrounding areas. The current system is lacking in coverage particularly within buildings and in hard to reach locations. This coverage ‘hole’ subjects first responders and the public to dangerous situations.”[[6]](#footnote-8)

Tiverton requests “that the Crandall Road site being proposed herein be granted a waiver of Section 90.305(a) to operate 50.838 miles/81.815 kilometers from the geographic center of Boston.”[[7]](#footnote-9) The Town contends that “the prime sites that can provide that coverage are all located greater than 50 miles of the geographic center of Boston.”[[8]](#footnote-10) The Town argues that the distance the site being proposed exceeds the 50-mile limit of Section 90.305(a) is d*e minimis* (.838 miles/1.815 kilometers).[[9]](#footnote-11) The Town asserts that a waiver grant is in the public interest and would “provide enhanced public safety radio services to the citizens of Tiverton.”[[10]](#footnote-12)

The Town seeks a waiver of section 90.307(d) for the new site to operate at 34.2 miles/55 kilometers from adjacent channel TV Station WPXQ-TV, TV Channel 17, Newport, Rhode Island.[[11]](#footnote-13) Tiverton indicates that Station WPXQ-TV was licensed in 2019 by the FCC’s Media Bureau at a distance from the center of the Boston Metropolitan Area of 113.2 km.[[12]](#footnote-14) The Town states that “only land mobile sharing locations that meet the 145 km separation distance are located well to the North and East of the City of Boston.”[[13]](#footnote-15) Tiverton provided an engineering analysis purporting to demonstrate that “the proposed license application meets the 0 dB D/U interference protection criteria. There is no overlap between the Desired and Undesired contour plots.”[[14]](#footnote-16)

Pursuant to Sections 1.415 and 1.419 of the Commission’s rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this *Public Notice*.  All comments and reply comments should reference the subject file number(s), waiver requests, and the DA number indicated on this *Public Notice*.

Pleadings may be filed electronically through ULS, or by paper pursuant to the following instructions. Parties are strongly encouraged to file electronically using ULS.

* Electronic Filers: Pleadings may be filed electronically using the Internet by accessing ULS:

https://www.fcc.gov/wireless/systems-utilities/universal-licensing-system. Each screen indicates

the information to be provided or the action(s) to be performed to complete that screen. From the

ULS website, to begin the process of filing a pleading click on “SUBMIT A PLEADING.” The

link takes the user to the *Pleadings Information* screen. Upon completing the *Pleadings*

*Information* screen, click “CONTINUE” to go to the *File Numbers/Call Signs* screen. Upon providing the information required on that screen, complete steps three and four at the *Attach File* and *Confirmation* screens, respectively. For more information, detailed instructions can be found in the *Public Notice* announcing the implementation of electronic filing for pleadings.[[15]](#footnote-17)

* Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
* Filings can be sent hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.
* Commercial deliveries (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service First-Class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington, DC 20554.
* Hand-delivered or messenger-delivered paper filings for the Commission’s Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC’s mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
* Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
* U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE,

Washington, DC 20554.

Because of the policy implications and potential impact of this case on persons not party to the applications, it is in the public interest to treat this case as a permit-but-disclose proceeding under the *ex parte* rules. *See* Sections 1.1200(a) and 1.1206 of the Commission’s rules, 47 CFR §§ 1.1200(a) and 1.1206. Therefore, subsequent to the release of this *Public Notice, ex parte* presentations that are made with respect to the issues involved in the subject waiver requests will be allowed, but must be disclosed in accordance with the requirements of Section 1.1206(b) of the Commission’s rules, 47 CFR § 1.1206(b).

The applications, waiver requests, and comments and reply comments can be accessed electronically via the Commission’s Universal Licensing System, <https://www.fcc.gov/wireless/universal-licensing-system>.

For technical assistance in using ULS for viewing the application or filing an amendment to the

application, contact the ULS Licensing Support Hotline at (877) 480-3201. The ULS Licensing Support

Hotline is available Monday through Friday, from 8:00 A.M. to 6:00 P.M. Eastern Time. All calls to the

ULS Licensing Support Hotline are recorded.

For further information regarding this Public Notice, please contact Thomas Eng, Policy and Licensing Division, Public Safety and Homeland Security Bureau, (202) 418-0019, or by email to thomas.eng@fcc.gov.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530.

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

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1. *See* File No. 0010645349 (filed Aug. 17, 2023), attached Request for Waiver (Fifty-Mile Waiver Request); attached Waiver – Expedited Action Requested, Involving TV Protection in the 470-512 MHz Band (TV Spacing Waiver Request). [↑](#footnote-ref-3)
2. 47 CFR § 1.925. [↑](#footnote-ref-4)
3. 47 CFR § 90.305(a) (the transmitter site(s) for base stations shall be located not more than 80 kilometers (50 miles) of the geographic centers of the urbanized areas listed in 47 CFR § 90.303); Fifty-Mile Waiver Request. [↑](#footnote-ref-5)
4. 47 CFR § 90.307(d) (The minimum distance between a land mobile base station which has associated mobile units and a protected adjacent channel television station is 145 km (90 miles)); TV Spacing Waiver Request. [↑](#footnote-ref-6)
5. Fifty-Mile Waiver Request at 1. [↑](#footnote-ref-7)
6. TV Spacing Waiver Request at 1. [↑](#footnote-ref-8)
7. Fifty-Mile Waiver Request at 1. [↑](#footnote-ref-9)
8. *Id*. [↑](#footnote-ref-10)
9. *Id*. [↑](#footnote-ref-11)
10. Fifty-Mile Waiver Request at 1. [↑](#footnote-ref-12)
11. TV Spacing Waiver Request at 1. [↑](#footnote-ref-13)
12. *Id*. at 2. [↑](#footnote-ref-14)
13. *Id*. [↑](#footnote-ref-15)
14. *Id*. at 7. *See* *Private Land Mobile Operations in the 470-512 MHz Band*, Public Notice No. 20291 (rel. Oct. 22, 1991) at 1 (stating that any request for waiver of applicable mileage separations must demonstrate that the affected adjacent channel TV stations would receive 0 dB protection at their Grade B contours (64 dBu)). [↑](#footnote-ref-16)
15. *Wireless Telecommunications Bureau Enhances the Commission’s Universal Licensing System to Implement*

*Electronic Filing for Pleadings*, Public Notice, 21 FCC Rcd 424 (WTB 2006). [↑](#footnote-ref-17)