

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

In the Matter of)	
)	
County of Los Angeles, California)	File Nos. 0011011813, 0011011815,
)	0011013939
Request for Waiver of Section 90.307 of the)	
Commission's Rules)	

ORDER

Adopted: September 9, 2025

Released: September 9, 2025

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

I. INTRODUCTION

1. On April 4 and 5, 2024, the County of Los Angeles, California (County), licensee of the Los Angeles Regional Interoperable Communications System (LA-RICS) network, filed three applications and a request for waiver¹ of section 90.307 of the Commission's rules.² The County seeks a waiver of this rule, which limits the height of control stations in the 470-512 MHz band (T-Band) to 31 meters (100 feet) height above average terrain (HAAT), so that the County's fire department may operate control stations at certain fire stations. By this Order, we conditionally grant a waiver of section 90.307, and, on our own motion, waive additional rules necessary for the County to operate as proposed.

II. BACKGROUND

2. LA-RICS is an interoperable, digital, trunked radio network that provides an integrated wireless voice and data communications system that will support more than 34,000 first responders and local mission-critical personnel.³ The LA-RICS system operates a narrowband data system in the 470-512 MHz bands and voice communications in both the 700 MHz (utilizing public narrowband frequencies) and 470-512 MHz bands.⁴ The County seeks to add three control stations with HAAT exceeding 31 meters.⁵

3. The County states that its fire department stations, which have the duty of protecting the county from forest fires, are located in mountainous areas, which exceed 31 meters HAAT. The County states that "fire stations must have control stations in the building, in order to maintain communications with dispatched fire equipment."⁶ The County notes that the Commission promulgated the T-Band control station height rule in 1971, but the County states that there is no discussion regarding its adoption

¹ File Nos. 0011011813, 0011011815, and 0011013939 (filed Apr. 4 & 5, 2024), attached Request for Waiver of Los Angeles, California (dated Dec. 30, 2023) (Waiver Request).

² 47 CFR § 90.307.

³ Waiver Request at 1.

⁴ *Id.*

⁵ The control station for File No. 0011011813 would operate at 42 meters HAAT. The control station for File No. 0011011815 would operate at 50.7 meters HAAT. The control station for File No. 0011013939 would operate at 563 meters HAAT.

⁶ Waiver Request at 2.

in the text of the decision order.⁷ Therefore, the County argues that “it is impossible to determine the Commission’s rationale for adoption of the rule section.”⁸ The County “surmises that the Commission was concerned that certain control stations would be placed at the ‘edges’ of the land mobile radio permitted radius around TV Sharing cities that interference to TV stations might be caused.”⁹

III. DISCUSSION

4. The Commission may grant a request for waiver if it is shown that: (i) the underlying purpose of the rule(s) would not be served or would be frustrated by application to the instant case, and that a grant of the requested waiver would be in the public interest; 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.¹⁰

5. Before we evaluate the control station height waiver, we examine whether the proposed operation would require waiver of any other rules. Two of the three proposed control stations¹¹ would operate on spectrum in the TV Channel 15 band (476-482 MHz), which is co-channel with Digital Class A TV Station KTLN-CD, Bakersfield, California. Section 90.307(c) of the Commission’s rules states that, “[m]obile units and control stations operating on the frequencies available for land mobile use in any given urbanized area shall afford protection to co-channel and adjacent channel television stations in accordance with the values set forth in table C in § 90.309 and paragraph (d) of this section”¹² Section 90.309, Table C requires a minimum distance of 249 kilometers (155 miles) between the associated base station and a protected co-channel TV Station, based on the control station power level.

6. The County’s associated base station on TV Channel 15 is call sign WQJX513, located at Verdugo Peak, Glendale, California. While the distance between Station WQJX513 and protected TV Station KTLN-CD is 141.7 kilometers (88 miles) and is thus considered short spaced in Table C for any control station ERP, the proposed control stations are farther from Station KTLN-CD than the base station is to Station KTLN-CD.¹³ The proposed control stations are not placed at the edge of the Station WQJX513 service area closest to Station KTLN-CD, and thus, we conclude that they would not increase interference potential to Station KTLN-CD. Accordingly, on our own motion, we find that a waiver of section 90.307(c) and section 90.309 is warranted.

7. Next, we note that in 2008, the Public Safety and Homeland Security Bureau (Bureau) granted a waiver to the County to operate in the TV Channel 15 band,¹⁴ which is not allocated for land mobile radio use in the Los Angeles urbanized area.¹⁵ The Bureau has granted subsequent applications to

⁷ Waiver Request at 2 citing Second Report And Order, Docket No. 18261, FCC 71-649, 22 R.R.2d 1691, 30 FCC 2d 221 (1971).

⁸ Waiver Request at 3.

⁹ Waiver Request at 3.

¹⁰ 47 CFR § 1.925(b)(3).

¹¹ File Nos. 0011011813, 0011011815. The proposed control station in the third application, File No. 0011013939, would operate in the TV Channel 14 (470-476 MHz) and 16 (482-488 MHz) bands and have no television spacing issues.

¹² 47 CFR § 90.307(c).

¹³ The proposed control stations are 168.8 and 184.4 kilometers (104.9 and 114.6 miles), respectively, from Station KTLN-CD.

¹⁴ See *County of Los Angeles, California*, Order, 23 FCC Rcd 18389 (PSHSB 2008) (Channel 15 Order).

¹⁵ 47 CFR § 90.303

the County for additional operations in the TV Channel 15 band consistent with the Channel 15 Order.¹⁶ We conclude that the instant proposed control stations would similarly be covered under the Channel 15 Order.

8. We now turn to the requested control station antenna height waiver of section 90.307. The County contends that it “has no reasonable alternative at [the requested] sites, as the critical dispatch alarming and incident information is transmitted from [its] radio system.”¹⁷ For each application, the County states that “the building has a HAAT above 31 meters (100 feet).”¹⁸ We agree that the County has no reasonable alternative because the mounting surfaces (the fire station roofs) all exceed 31 meters HAAT, making it impossible to mount an antenna without exceeding 31 meters HAAT. We also agree with the County that the fire stations at the requested sites have the duty of protecting Los Angeles County from forest fires, and therefore, a grant of the requested waiver would be in the public interest.

IV. CONCLUSION

9. Based on the information before us, we conclude that the County has demonstrated the criteria set forth under the waiver standard, and that grant of its request for waiver of Commission rules to enable it to operate control stations as proposed is warranted. We therefore grant the request for waiver, subject to the following condition:

A waiver of sections 90.307, 90.307(c) and 90.309 is granted on a secondary basis to all current and future full power and Class A TV stations. By Order DA 25-831 released on September 9, 2025.

V. ORDERING CLAUSES

10. Accordingly, **IT IS ORDERED** that, pursuant to Sections 1, 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), and 303(r), and section 1.925 of the Commission’s rules, 47 CFR § 1.925, the December 30, 2023 Request for Waiver of Los Angeles, California filed in conjunction with applications File Nos. 0011011813, 0011011815, and 0011013939, ARE GRANTED as conditioned herein.

11. **IT IS FURTHER ORDERED**, that the applications, File Nos. 0011011813, 0011011815, and 0011013939, SHALL BE PROCESSED in accordance with this Order and the Commission’s rules.

12. This action is taken under delegated authority pursuant to Sections 0.191(f) and 0.392 of the Commission’s rules, 47 CFR §§ 0.191(f) and 0.392.

FEDERAL COMMUNICATIONS COMMISSION

John A. Evanoff
Chief, Policy and Licensing Division
Public Safety and Homeland Security Bureau

¹⁶ See, e.g., File No. 0009464669.

¹⁷ Waiver Request at 3.

¹⁸ *Id.*