

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

In the Matter of)
STATE OF OREGON, DEPARTMENT OF)
STATE POLICE)

ORDER

Adopted: October 23, 1998;

Released: October 23, 1998

By the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

1. On May 24, 1996, the State of Oregon, Department of State Police (OSP) filed a waiver request seeking permanent authorization to operate three 220 MHz stations that it was then operating, at sites other than those initially authorized, pursuant to grants of special temporary authorization (STA).¹ A waiver was necessary because the Wireless Telecommunications Bureau (Bureau) had suspended the acceptance of applications for 220 MHz initial licenses and modifications.² The Commission opened a filing window for 220 MHz licensees operating pursuant to STAs at locations other than those originally authorized to apply for permanent authorization to operate at the STA sites, but that window closed on March 11, 1996, and OSP missed the deadline.³ While the waiver request was pending, the Bureau resumed accepting applications for 220 MHz public safety channels.⁴ OSP applied for permanent authorization to operate at the sites and on the channels it was using pursuant to the STAs, and those applications have been granted.

2. Accordingly, IT IS ORDERED that, pursuant to the authority of Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 303(r), and Section 90.151 of the Commission's Rules, 47 C.F.R. § 90.151, the waiver request IS DISMISSED AS MOOT.

¹ Letter from Tony F. Monroe, OSP, to FCC (May 23, 1996).

² See Amendment of Part 90 of the Commission's Rules to Provide for the Use of the 220-222 MHz Band by the Private Land Mobile Radio Service, *Third Report and Order; Fifth Notice of Proposed Rulemaking*, PR Docket No. 89-552, 12 FCC Rcd 10943, 10955 (1997) (citing Acceptance of 220-222 MHz Private Land Mobile Applications, *Order*, 6 FCC Rcd 3333 (PRB 1991)).

³ 47 C.F.R. § 90.755(b).

⁴ See Filing Freeze to Be Lifted for Applications under Part 90 for Fifteen Public Safety Channel Pairs in the 220-222 MHz Band, *Public Notice*, 13 FCC Rcd 2758 (WTB 1998).

3. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

D'wana R. Terry
Chief, Public Safety and Private Wireless Division
Wireless Telecommunications Bureau