



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

January 11, 2010

The Honorable Robert P. Casey, Jr.
United States Senate
393 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Casey:

Thank you for your letter regarding filings submitted by the County of Lancaster, Pennsylvania, for a public safety radio system.

On May 29, 2009, the County submitted amendments to three applications seeking authorization to operate a public safety land mobile radio communications system on spectrum allocated to television Channel 15 in the 470-512 MHz band. Because this spectrum is not allocated for public safety use, Lancaster seeks waiver relief pursuant to Section 337(c) of the Communications Act of 1934, as amended. Section 337(c) of the Act requires the Commission, upon sufficient showing, to waive any requirement of the Act or its regulations implementing the Act, other than its regulations regarding harmful interference, in order to permit public safety entities to use unassigned spectrum.

The Commission released a *Public Notice* on August 14, 2009, to allow public comment on the application and the waiver request. I want to assure you that we will give the County's request careful consideration, and will act as expeditiously as possible. We will notify your staff upon issuing a decision.

I appreciate your interest in this important matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Julius Genachowski", written over a large, light-colored scribble or stamp.

Julius Genachowski
Chairman