

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
PHI Service Company Requests for)	WT Docket No. 17-246
Extension or Waiver of Part 22 Paging)	
Performance Requirement)	

To: Chief, Wireless Telecommunications Bureau

**COMMENTS
OF
PDVWIRELESS, INC.**

pdvWireless, Inc. (“PDV” or the “Company”), in accordance with Section 1.45 of the Federal Communications Commission (“FCC” or “Commission”) rules, respectfully submits its response to the Public Notice seeking comment on the Requests filed by PHI Service Company (“PHI”) seeking an Extension or Waiver of the performance requirements applicable to certain of its UHF and 931 MHz paging geographic area licenses (“Licenses”).¹ PHI asks that the FCC grant a brief extension, until December 31, 2017, of the deadline for demonstrating that these stations are providing substantial service in accordance with applicable FCC rule and precedent. As discussed below, PDV supports grant of the relief requested by PHI and believes it would be fully consistent with the public interest.

The Extension Request for PHI’s 931 MHz paging licenses explains that the Company is a subsidiary of Exelon Corporation, one of the nation’s largest, diversified energy companies. The system it is deploying on this spectrum will support smart grid applications and address Distribution Automation requirements of its affiliated energy companies. PHI states that it has

¹ Wireless Telecommunications Bureau Seeks Comment on PHI Service Company Requests for Extension or Waiver of Part 22 Paging Performance Requirements, WT Docket No. 17-246, *Public Notice*, 32 FCC Rcd 6958 (rel. Sept. 14, 2017) (“Public Notice”).

completed construction at three of its sites and that substantial work has been done to build out the other four locations, where it already has notices to proceed from the site owners or operators. All that remains to be done is scheduling and then completing the construction.

Substantial progress also has been made in building out PHI's UHF system. The Extension Request for that station describes the fact that PHI is constructing area-wide systems that will support the extensive smart grid deployments of the affiliated energy companies. Ten of the twenty-one base stations are on the air. The remainder have been funded and are scheduled to be in operation by December 31, 2017.

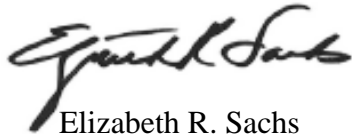
The purpose of the FCC's construction requirements is to promote the timely deployment of spectrum in the public interest. The systems in question are essential to the Company being able to fulfill its primary responsibility; the reliable delivery of electric and gas service to the public. As explained by PHI, "directly or indirectly, virtually all persons residing and working within and traveling through the electric service territories of PHI's affiliated Energy Utility Companies benefit from PHI's...systems authorized by the Licenses."² The progress reported by PHI on its construction efforts in both bands confirms that it is making all reasonable efforts to complete these projects as promptly as possible. Granting PHI several additional months to do so, and thereby to demonstrate that it is making substantial use of this spectrum, would serve both the FCC's purpose and the public interest.

² PHI Substantial Service Showing and/or Request for Extension of Time for 931 MHz Paging Service Licenses in MEA 2 at 2 (filed July 3, 2017).

PDV urges the FCC to proceed promptly in granting the relief requested by PHI.

Respectfully submitted,

PDVWIRELESS, INC.

A handwritten signature in black ink, appearing to read "Elizabeth R. Sachs".

Elizabeth R. Sachs
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Its Counsel

October 16, 2017

CERTIFICATE OF SERVICE

I, Linda J. Evans, with the law firm of Lukas, LaFuria, Gutierrez & Sachs, LLP, hereby certify that I have, on this 16th day of October 2017, caused to be forwarded via first-class mail, postage prepaid, the foregoing Comments to the following:

PHI Service Company
401 Eagle Run Rd.
Newark, DE 19702
Attn: Mr. Russ Ehrlich

Pepco Holdings, Inc
500 N. Wakefield Dr.
Newark, DE 19702
Attn: Ms. Anne Gwal

/s/ Linda J. Evans