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Federal Communications Commission  
WASHINGTON, D.C. 20554

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In the Matter of )  
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Amendment of Part 90 of the ) PR Docket No. 93-144  
Commission's Rules to )  
Facilitate Future Development )  
of SMR Systems in the 800 MHz )  
Frequency Band )  
  
Implementation of Sections ) GN Docket No. 93-252  
3(n) and 322 of the )  
Communications Act Regulatory )  
Treatment of Mobile Services )  
  
Implementation of Section )  
309(j) of the Communications ) PP Docket No. 93-253  
Act - Competitive Bidding )

To: Wireless Telecommunications Bureau

**ENTERGY SERVICES, INC.'S PETITION FOR  
RECONSIDERATION/CLARIFICATION OF THE WIRELESS  
TELECOMMUNICATIONS BUREAU'S MAY 20, 1997 ORDER**

Entergy Services, Inc. ("Entergy"), through its undersigned counsel and pursuant to section 1.106 of the Commission's rules, submits this Petition for Reconsideration/Clarification of the Wireless Telecommunications Bureau's ("WTB's") Order, DA 97-1059, released on May 20, 1997, in the above-captioned proceedings.

## INTRODUCTION

1. On June 4, 1996, the Federal Communications Commission ("Commission" or "FCC") issued a Public Notice seeking from all 800 MHz Specialized Mobile Radio licensees rejustification of their respective extended implementation ("EI") schedules for construction of wide-area 800 MHz systems.<sup>1/</sup> On July 15, 1996, Entergy provided the FCC with its rejustification petition which provided a general overview of Entergy's original EI grant and a detailed justification in support of Entergy's request for the two-year EI period authorized by the Commission in the First Report and Order in the above-referenced docket for its trunked Specialized Mobile Radio ("SMR") licenses.<sup>2/</sup>

2. On May 20, 1997, the WTB issued an order disposing of the submissions of Entergy and thirty-six other SMR licensees to rejustify extended implementation authority. The WTB concluded that Entergy was among twenty-nine licensees that had justified "a construction period of two years, from the release of this Order, or the remainder of its authorization period, whichever is less, to complete construction of facilities under its EI plan."<sup>3/</sup>

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<sup>1/</sup> By its Order, DA 96-943, released June 13, 1996, the Commission extended the filing date of extended implementation rejustifications until July 15, 1996.

<sup>2/</sup> Amendment of Part 90 of the Rules to Facilitate Future Development of SMR Systems in the 800 MHz Frequency Band, PR Docket No. 93-144, First Report and Order, Eighth Report and Order, and Second Further Notice of Proposed Rule Making, 11 F.C.C. Rcd. 1463 (1995) ("First Report and Order").

<sup>3/</sup> Order ¶ 10.

### CLARIFICATION REQUESTED

3. In the above referenced Order, the WTB mistakenly identified Entergy as one of nine licensees whose EI period expires prior to May 20, 1999.<sup>4/</sup> Specifically, the WTB concluded that Entergy's EI authority expires on March 31, 1998. This date is incorrect. As Entergy stated in its Rejustification Petition,<sup>5/</sup> its EI authority for the SMR licenses which are the subject of this Order does not expire until December 31, 2000. Accordingly, Entergy is entitled to the full two-year period established by the WTB because its EI authority does not expire before that time.

4. In March 1996, Entergy was authorized for a number of new SMR and I/LT frequencies for which it also requested slow growth status. While Entergy has begun construction of these new 800 MHz SMR frequencies, Entergy still requires an additional two years so that it can continue construction of these channels. The new SMR channels are a critical part of Entergy's expansion phase for its 800 MHz trunked wide-area system.<sup>6/</sup>

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<sup>4/</sup> Id. ¶ 10 n. 27.

<sup>5/</sup> See Entergy Rejustification Petition, Exhibit 3, Letter to Susan Miller from Shirley Fujimoto dated August 30, 1995.

<sup>6/</sup> Entergy converted roughly two-thirds of its I/LT licenses to SMR status. However, it fully intends to operate under all of its 800 MHz licenses (both I/LT and SMR) in its capacity as a Private Mobile Radio Service ("PMRS") licensee. Entergy continues to use its 800 MHz PMRS trunked wide-area system for internal, utility communications.

5. Entergy is one of the largest electric utility holding companies in the country; its subsidiaries include five electric utility operating companies (or "OPCOs") -- Gulf State Utilities, Arkansas Power & Light Company, Louisiana Power & Light Company, Mississippi Power & Light Company, and New Orleans Public Service Company. Collectively, Entergy and its OPCOs hold numerous authorizations for land mobile radio facilities in the 800 MHz frequency band.

6. To address its land mobile radio needs, Entergy has initiated an extensive upgrade of its land mobile communications network over the past several years.<sup>2/</sup> The principal goal of the upgrade is to implement a wide-area 800 MHz system for all of Entergy. This upgrade is critical to the more efficient utilization of ratepayers' resources over the long term and to meet demands for ever-safer, more reliable electric service.

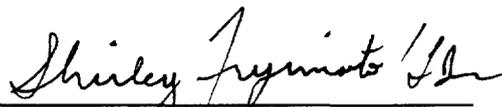
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<sup>2/</sup> Entergy's system is an extensive 800 MHz wide-area analog system. Cf Order 19 n.25.

**WHEREFORE, THE PREMISES CONSIDERED,** Entergy Services, Inc. urges the WTB to consider this Petition for Reconsideration/Clarification of WTB's May 20, 1997 Order and to proceed in a manner consistent with the views expressed herein.

Respectfully submitted,

**ENTERGY SERVICES, INC.**

By: 

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Dated: June 19, 1997

**CERTIFICATE OF SERVICE**

I, Thomas J. Navin do hereby certify that a courtesy copy of Entergy Services, Inc.'s Petition for Reconsideration/ Clarification of the Wireless Telecommunications Bureau's May 20, 1997 Order was delivered by hand on June 19, 1996 to the following:

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Federal Communications Commission  
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Thomas J. Navin