



August 17, 2015

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Reply Comments to Sprint Request for Waiver to Permit 800 MHz Wideband Operations in Portions of Washington State Prior to Completion of 800 MHz Band Reconfiguration in the Entire NPSPAC Region, WT 15-156

Dear Sir or Madam:

Sprint Corporation on behalf of its wholly-owned subsidiary Nextel West Corp. (collectively "Sprint") hereby files these Reply Comments to the Wireless Telecommunications Bureau's ("Bureau's") Public Notice in the above-captioned proceeding.¹

On June 25, 2015, Sprint filed a request for waiver of Section 90.209(b)(7) of the Commission's Rules to permit Sprint to deploy wideband operations in the 821-824/866-869 MHz portion of the ESMR band prior to 800 MHz band reconfiguration completion National Public Safety Advisory Committee ("NPSPAC") Region for Washington State (Region 43).² Sprint's request was limited to portions of four counties in the southernmost area of Washington State: Clark, Cowlitz, Pacific and Skamania Counties. Sprint seeks to accelerate its broadband deployment in these areas close to Portland, Oregon without risk of interference to non-rebanded operations in northern and eastern Washington.

Sprint's planned sites in these four counties are all located more than 70 miles away from the two closest Washington public safety sites still operational in the old NPSPAC band, and are more than 80 miles away from all other public safety sites. These separation distances go beyond the Part 90 co-channel separation requirements in Section 90.621(b) of the Commission's Rules which permits 800 MHz co-channel usage at sites as close as 55 miles depending on the technical parameters of the proposed facilities. Sprint proposed more than 70 miles between co-channel operations to provide an additional buffer of protection to the remaining public safety operations.

¹ See Wireless Telecommunications Bureau Seeks Comment on Sprint Waiver Request to permit Wideband Operations in Portions of Washington State NPSPAC Regions, *Public Notice*, WT Docket 15-156, DA 15-775 (July 1, 2015).

² See Sprint Corporation Request for Waiver to Permit Wideband Operations in Portions of Washington State prior to Completion of 800 MHz Band Reconfiguration in Entire NPSPAC Region (filed June 25, 2015). ("Sprint Waiver Request").

On July 1, 2015, the Bureau sought comment on Sprint's Waiver Request. Only one party filed comments in the Bureau's Docket: the Spokane Regional Emergency Communications System (SRECS) filed comments on July 29, 2015.³ Spokane agreed that the Sprint Waiver Request would have "no immediate or future impact" on SRECS, noting that "The region of interest does not include Spokane county, or any counties east of the Cascade Mountains. As such, the distance between Spokane County and the nearest proposed county is over 150 miles with a large mountain range in between; (2) SRECS has completed re-banding and is not operating in the 866-869 MHz band segment where Sprint is seeking to utilize wideband operations."

Four other parties have sent Sprint emails indicating no objection to the Sprint Waiver Request: the City of Seattle, Skagit County Transit, the State of Washington Department of Transportation and the City of Puyallup.⁴ Copies of emails from these four jurisdictions are attached.

Sprint has also served copies of the Sprint Waiver Request and the Bureau's Public Notice on six other public safety agencies that have yet to complete rebanding.⁵ Sprint has attempted numerous times to confirm no objection with these licensees but despite Sprint's best efforts these six jurisdictions have not responded to Sprint.⁶

As described in Sprint's Waiver Request, Sprint requested this waiver to accelerate its broadband deployment in the Portland metropolitan area to better serve its customers, consistent with the Commission's goals of expanded competitive wireless broadband availability, while fully protecting ongoing public safety operations in the 866-869 MHz portion of the 800 MHz band until they are fully returned. Given that there has been no opposition to Sprint's Request and five statements of no objection from incumbent public safety jurisdictions, Sprint requests grant of the instant Waiver.

³ See Spokane Regional Emergency Communications Systems Comments in WT Docket 15-156 (July 31, 2015).

⁴ The City of Puyallup and the State of Washington Department of Transportation both indicated their concurrence prior to Sprint filing its request.

⁵ State of Washington Department of Corrections, Eastside Public Safety Communications Agency, City of Tacoma, King County, Valley Communications Center, and Island County Public Transportation Benefit Area.

⁶ Pursuant to the FCC's rules, all public safety licensees in the State of Washington, in addition to 800 MHz public safety licensees in neighboring NPSPAC Regions will each be provided thirty days advance notice of Sprint's deployment and planned initiation date of operations as well as contact information for Sprint in the event of any alleged interference.

Should there be any questions, please contact the undersigned.

Sincerely,

/s/ James B. Goldstein

James B. Goldstein
Senior Counsel
Sprint Corporation
12502 Sunrise Valley Drive
Reston, VA 20196
James.Goldstein@Sprint.com

Attachments

Email from State of Washington Department of Transportation (Prior to Sprint filing)

From: Tyler, George M [CTO]
Sent: Tuesday, May 12, 2015 7:51 AM
To: Marusich, Michael (OCIO) <michael.marusich@ocio.wa.gov>; 'McDowell, Tim' <McDoweT@wsdot.wa.gov>
Cc: Andrew Maxymillian <Andrew.Maxymillian@bluewing.com>; Jeffrey Rubin <JRubin@shulmanrogers.com>; Kennedy, Jim M [CTO] <James.Kennedy@sprint.com>; Mayher, Mark [CTO] <Mark.Mayher@sprint.com>; Zuniga, Jose R. (DOC) <jrzuniga@DOC1.WA.GOV>
Subject: RE: URGENT - Washington State consent for Sprint Portland Area

Thanks for your response, guys. You are correct that we would deal with any interference quickly to make sure the State and other licensees are not adversely impacted.

George

From: Marusich, Michael (OCIO) [<mailto:michael.marusich@ocio.wa.gov>]
Sent: Monday, May 11, 2015 3:53 PM
To: 'McDowell, Tim'
Cc: Tyler, George M [CTO]; Andrew Maxymillian; Jeffrey Rubin; Kennedy, Jim M [CTO]; Mayher, Mark [CTO]; Zuniga, Jose R. (DOC)
Subject: RE: URGENT - Washington State consent for Sprint Portland Area

George / Mark,

I believe Tim's response meets your e-mail approval needs. Obviously his concurrence is based on the contours Sprint provided, and the understanding that any subsequently-identified interference issues will be addressed in a timely, cooperative and collaborative manner by the interfering and interfered parties.

If there is anything further you require, please do not hesitate to contact us.

Michael

From: McDowell, Tim [<mailto:McDoweT@wsdot.wa.gov>]
Sent: Monday, May 11, 2015 3:27 PM
To: Marusich, Michael (OCIO)
Cc: Tyler, George M [CTO]; Andrew Maxymillian; Jeffrey Rubin; Kennedy, Jim M [CTO]; 'Mayher, Mark [CTO]'; Zuniga, Jose R. (DOC)
Subject: RE: URGENT - Washington State consent for Sprint Portland Area

I see no concerns with the contours that are provide. I would concur with Sprints proposed use provided there is no interference.

Thanks

Tim McDowell
ITS Communications & Wireless Technology Mgr.
Washington State Department of Transportation - Traffic Operations
(360)705-7028
mcdowet@wsdot.wa.gov

Email from City of Puyallup (Prior to Sprint filing)

From: Mayher, Mark [CTO]
Sent: Monday, June 15, 2015 10:36 AM
To: 'Tim Hannah'
Cc: Mitch Harris (Motorola Solutions); Landon
Subject: RE: URGENT City of Puyallup Consent for Sprint Portland Area

Thanks very much Tim – We will move forward. Let me know if you have any questions. Mark

From: Tim Hannah [<mailto:THannah@ci.puyallup.wa.us>]
Sent: Monday, June 15, 2015 10:32 AM
To: Mayher, Mark [CTO]
Cc: Mitch Harris (Motorola Solutions); Landon
Subject: RE: URGENT City of Puyallup Consent for Sprint Portland Area

Mark,

I don't see any problem with this request. Please proceed as you are and my team will look closer at it. If we determine some impact I will contact you with questions or concerns.

Sincerely,

Tim Hannah
Communications Center Manager
City of Puyallup
1102 39th Ave SE
Puyallup, WA 98374
(253) 841-5434 office
(253) 355-9840 cell

From: Mayher, Mark [CTO] [<mailto:Mark.Mayher@sprint.com>]
Sent: Friday, June 12, 2015 3:25 PM
To: Tim Hannah
Subject: URGENT City of Puyallup Consent for Sprint Portland Area

Tim Hannah
Communications Center Manager
City of Puyallup
1102 39th Ave SE
Puyallup, WA 98374

Mr. Hannah,

Sprint would like to move forward on its deployment of broadband on the higher channels (862 to 869 MHz) at multiple locations in 3Q 2015 and seeks consent from the City of Puyallup to operate on these channels before it retunes the Graham Hill site. Specifically, this site under callsign WQNP627 Location #5 in Graham, Washington is under consideration by Puyallup for reconfiguration in July 2015. Sprint's

system in Portland, Oregon / Vancouver, Washington closest site to Puyallup is located in Kalama, Washington which is more than 70 miles from the Graham Hill site and more than 80 miles from all other Puyallup system sites.

Can you confirm that the City of Puyallup can temporarily operate co-channel with Sprint sites in the Portland, Oregon - Vancouver, Washington area?

Closest Site

PUYALLUP is considering retuning in July of 2015.

Graham Hill

25016 MERIDIAN ST

GRAHAM, WA PIERCE County

47-01-44.9 N

122-18-02.0 W

WQNP627-5

Sincerely,

Mark

Mark Mayher

Manager, Spectrum Development

O: 913-653-0621 / M: 410-365-2862

mark.mayher@sprint.com

Email from City of Puyallup (post-filing)

From: Tim Hannah [mailto:THannah@ci.puyallup.wa.us]
Sent: Monday, August 17, 2015 11:43 AM
To: Gary Lancaster <g.lancaster@adcomm911.com>; Goldstein, James [GA] <James.Goldstein@sprint.com>
Cc: Mitch Harris (Motorola Solutions) <Mitch.Harris@motorolasolutions.com>
Subject: RE: Sprint Request for LTE Waiver in Southern Washington

James,

I concur with Gary's acknowledgement and acceptance of this notification.

Thanks,

Tim Hannah
Communications Center Manager
City of Puyallup
1102 39th Ave SE
Puyallup, WA 98374
(253) 841-5434 office
(253) 355-9840 cell

From: Gary Lancaster [mailto:g.lancaster@adcomm911.com]
Sent: Friday, August 14, 2015 1:16 PM
To: 'Goldstein, James [GA]'; Tim Hannah
Cc: Mitch Harris (Motorola Solutions)
Subject: RE: Sprint Request for LTE Waiver in Southern Washington

James

I'm responding for ADCOMM as their consultant. You probably need a formal response from Tim at Puyallup.
Gary

From: Gary Lancaster [mailto:g.lancaster@adcomm911.com]
Sent: Friday, August 14, 2015 3:58 PM
To: 'Tim Hannah' <THannah@ci.puyallup.wa.us>
Cc: 'Mitch Harris (Motorola Solutions)' <Mitch.Harris@motorolasolutions.com>; Goldstein, James [GA] <James.Goldstein@sprint.com>
Subject: RE: Sprint Request for LTE Waiver in Southern Washington

Tim

We reviewed this and determined that it is not a problem. Call me if you have questions.
Gary
206-588-9117

Email from Skagit County Transit

From: Allan Schaner [<mailto:aschaner@skagittransit.org>]
Sent: Tuesday, July 21, 2015 11:22 AM
To: Lee, Brenda B [CTO]
Cc: Goldstein, James [GA]
Subject: RE: Sprint Request for LTE Waiver in Southern Washington

Hello Brenda, no objection here. I read thru the previous e-mail and did not see any requirement to contact you to continue on with the project.

thanks AL

Allan Schaner
Facilities and Maintenance Manager
Skagit Transit
600 County Shop Lane
Burlington, WA. 98233-9772
Office# 360-757-5166
Fax# 360-757-0737
aschaner@skagittransit.org

From: Lee, Brenda B [CTO] [<mailto:Brenda.Lee@sprint.com>]
Sent: Tuesday, July 21, 2015 7:59 AM
To: Allan Schaner <aschaner@skagittransit.org>
Cc: Goldstein, James [GA] <James.Goldstein@sprint.com>
Subject: RE: Sprint Request for LTE Waiver in Southern Washington

Mr. Schaner,

This is just a follow up to Sprint's email below that was sent 7/15/2015. Sprint is requesting Skagit Transit written consent or an indication of no objection to our pending request at the FCC. All we need is an email from you – we do not need a formal letter. As indicated below, our operations will be confined to locations in Clark, Cowlitz, Pacific, and Skamania Counties at significant distance from your yet-to-be-retuned sites. Sprint's regulatory counsel would be happy to schedule a conference call to discuss any questions you may have to aid you in your review of Sprint's request. Please reach out if you have any questions or concerns.

Thank you,

Brenda Lee
Project Manager/Spectrum Group, Sprint / Nextel
O: 678-823-6162/ M:678-409-4279/ F: 404-948-0904
brenda.lee@sprint.com



Email from City of Seattle

From: Bahner, Spencer [mailto:Spencer.Bahner@seattle.gov]
Sent: Thursday, August 06, 2015 11:51 PM
To: Lee, Brenda B [CTO] <Brenda.Lee@sprint.com>
Cc: Goldstein, James [GA] <James.Goldstein@sprint.com>; Keith, Rebecca <Rebecca.Keith@seattle.gov>
Subject: RE: Sprint Request for LTE Waiver in southern Washington

Brenda,

The City of Seattle sees no reason to object to the instant request on grounds of interference. This consent does not extend beyond the specific request within the four counties noted.

Spencer Bahner K7SLB

City of Seattle, Department of Information Technology
Radio Manager and Communications Shop Supervisor
1933 Minor Avenue
Seattle, WA 98101
Cell: 206-491-9881
Shop: 206-386-1213
Fax: 206-386-1217



From: Lee, Brenda B [CTO] [mailto:Brenda.Lee@sprint.com]
Sent: Tuesday, July 21, 2015 6:40 AM
To: Bahner, Spencer <Spencer.Bahner@seattle.gov>; Keith, Rebecca <Rebecca.Keith@seattle.gov>
Cc: Goldstein, James [GA] <James.Goldstein@sprint.com>
Subject: RE: Sprint Request for LTE Waiver in southern Washington

Good Morning,

This is just a follow up to Sprint's email below that was sent 7/2/2015. Sprint is requesting the City of Seattle's written consent or an indication of no objection to our pending request at the FCC. All we need is an email from you – we do not need a formal letter. As indicated below, our operations will be confined to locations in Clark, Cowlitz, Pacific, and Skamania Counties at significant distance from your yet-to-be-retuned sites. Sprint's regulatory counsel would be happy to schedule a conference call to discuss any questions you may have to aid you in your review of Sprint's request. Please reach out if you have any questions or concerns.

Thank you,

Brenda Lee

Project Manager/Spectrum Group, Sprint / Nextel
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