

Jeff,

“WAIVER---EXPEDITED ACTION REQUESTED”

I am using this email format as a document showing past activities. I intent to answer all questions and concerns you have outline below in reference to my waiver that was filed October 17, 2007 in WT Docket 06-150.

Answers to questions:

1. A description of how your deployment would meet the requirements of the Commission's general waiver rules contained in Sections 1.3 and 1.925.

Our deployment meets the requirements of the Commission's general waiver rules contained in Sections 1.3 and 1.925 since we are now on hold with our deployment due to new FCC rule changes for 700 MHz narrowband consolidation. The halt of building out our P25 SmartZone System is delaying interoperability with other Public safety agencies, is unduly burdensome and is contrary to public safety.

2. Evidence of a signed contract with an equipment vendor that was in place prior to the adoption date of the order (i.e. before July 31, 2007). The contract must be one that is "final" in nature, meaning the last step in agreeing to purchase and take delivery of narrowband radios. Waiver applicants should provide a copy of the contract or, if lengthy, at least a copy of the signature pages and execution date.

I have included a PDF file that contains a signed letter from our Motorola Account Manager detailing what we have purchased. Included in this file are pages of packing slips that verify we purchased Motorola 7X SmartZone system equipment. This equipment was deployed over the last year on 700 MHz frequencies under WPTZ 776 call signs.

3. A description of any related area-wide deployment project concerning narrowband radio operations in the 700 MHz band. Also, the number of radios that were deployed in the field as of August 30th, how many radios were taken delivery of and were ready to be deployed in the field as of August 30th, and the remaining number of radios to be deployed under the contract/project. The waiver applicant should also provide a complete deployment schedule.

Harris County Information Technology Center is a provider of communications for multi jurisdiction Public Safety agencies. Harris County Information Technology Center's jurisdiction includes the 13 Texas Counties within the Houston-Galveston Area Council of Government. Currently, Harris County Information Technology Center is in the process of implementing a vital communication system on the current 700 MHz narrowband spectrum under call sign WPTZ776. Harris County Information Technology Center sought budget and grant approval in January 2005 and placed orders for equipment in May 2005. Since then, Harris County Information Technology Center has deployed:

- One Master Control Switch and six each (6) tower sites consisting of a total number of thirty (30) Motorola GTR8000 fixed 700 MHz repeaters.
- 2 additional tower sites worth of brand new Motorola equipment is still in our facility waiting to be deployed onto 700 MHz.
- There are 13 portable units deployed during this time frame for testing and optimization of the 6 sites presently on the air.
- There are 9732 additional subscriber units and 2 transmitter sites (10 repeaters) waiting for deployment on 700 MHz when the system is completed and ready to accept units.
- Our Deployment Schedule is no longer valid and we are on hold until this frequency issue is resolved. We originally planed on activation of portables for 3/1/08.

This equipment is actively on the air and was installed and working prior to August 30, 2007. Full deployment of this new system was scheduled for March 1, 2008 but has now been placed on hold due to the recent Public Notice.

4. The amount of time needed to complete deployment pursuant to waiver (but not to exceed January 2009). Also, the extent to which radios to be deployed after August 30th could be programmed to operate in the consolidated narrowband spectrum only and thus not require relocation.

Harris County Information Technology Center will need until the end of December 2008 to complete the entire deployment of our new P25 700 MHz SmartZone 13 county system. All radio equipment we presently have on hand is capable of performing at 700MHz narrowband spectrum. We just need the correct frequencies to program into the 9700 units so we only have to do it once more.

David Dodson
713-755-4842

From: Jeff Cohen [mailto:Jeff.Cohen@fcc.gov]
Sent: Thursday, October 25, 2007 4:07 PM
To: Dodson, David
Cc: Derek Poarch; Erika Olsen; Carol Simpson; Jeannie Benfaida
Subject: RE: Waiver in 06-150

Apologies, David. See my responses below, which are underlined for clarity. If you have any further questions, let me know.

Jeff

Jeffrey S. Cohen
Senior Legal Counsel
Public Safety and Homeland Security Bureau
Federal Communications Commission
(202) 418-0799

From: Dodson, David [mailto:DDodson@hctx.net]
Sent: Thursday, October 25, 2007 4:46 PM
To: Jeff Cohen
Cc: Derek Poarch; Erika Olsen; Carol Simpson; Jeannie Benfaida
Subject: RE: Waiver in 06-150

Jeff,
I never got a reply to my below questions.

Thanks for any input you can provide.
David

From: Dodson, David
Sent: Thursday, October 18, 2007 4:01 PM
To: 'Jeff Cohen'
Cc: Derek Poarch; Erika Olsen; Carol Simpson; Jeannie Benfaida
Subject: RE: Waiver in 06-150

Thanks for the rapid response. A few quick questions on your request;

Do I just respond to this email with the answers below or do they need to be filed under the below dockets?

Please provide your answers as a Supplement to your original filing. Also, as I mentioned earlier, please file in PS Docket No. 06-229 and WT Docket No. 96-86, rather than in WT Docket 06-150. This will help us to more readily access your filing.

On item number 2, I am not sure we have signed a contract other than an actual Purchase Order (which is not signed). Would packing slips of the received radios work as well?

Our preference would be to see evidence of a signed contract concerning the deployment project as a whole. If, however, that is not available, please explain why and provide what you can, such as the unsigned Purchase Order and packing slips you mention. What we are looking for is evidence that definitive plans were in place to purchase the radio system prior to July 31, 2007.

On your last item, Harris County is the coordinating agency for this wide area system. I doubt that any other agency will be requesting waivers as such. I do know that one or two of our partner counties are using 700 MHz for Fire Ground or on scene vehicle repeaters.

Ok, thanks for the explanation.

I really appreciate your help and input.

David Dodson
713-755-4842

From: Jeff Cohen [mailto:Jeff.Cohen@fcc.gov]
Sent: Thursday, October 18, 2007 2:48 PM
To: Dodson, David
Cc: Derek Poarch; Erika Olsen; Carol Simpson; Jeannie Benfaida
Subject: RE: Waiver in 06-150

Mr. Dodson,

Derek Poarch forwarded your email with the attached waiver request to me.

I am writing to provide you with some additional information concerning the waiver request. Our Bureau has developed a common set of information that we would like to see with requests for waiver. First, I would like to make clear the circumstances under which a waiver request would be necessary. The Commission's recent order required that narrowband radios outside of the consolidated narrowband spectrum blocks must have been in operation by August 30, 2007, meaning deployed and in use. This would also include any caches of ready-to-use radios, intended for use during emergencies or special events, that were deployed by August 30, 2007.

As a waiver appears to be necessary in your case, we want to assure you that we will work with you to obtain any necessary waiver relief. Our goal is to not cause any disruptions to ongoing public safety communications plans.

In order to best process your waiver request, we have developed the following list of information that we ask you provide to us, to the extent you have not already done so in your filing.

1. A description of how your deployment would meet the requirements of the Commission's general waiver rules contained in Sections 1.3 and 1.925.
2. Evidence of a signed contract with an equipment vendor that was in place prior to the adoption date of the order (i.e. before July 31, 2007). The contract must be one that is "final" in nature, meaning the last step in agreeing to purchase and take delivery of narrowband radios. Waiver applicants should provide a copy of the contract or, if lengthy, at least a copy of the signature pages and execution date.
3. A description of any related area-wide deployment project concerning narrowband radio operations in the 700 MHz band. Also, the number of radios that were deployed in the field as of August 30th, how many radios were taken delivery of and were ready to be deployed in the field as of August 30th, and the remaining number of radios to be deployed under the contract/project. The waiver applicant should also provide a complete deployment schedule.
4. The amount of time needed to complete deployment pursuant to waiver (but not to exceed January 2009). Also, the extent to which radios to be deployed after August 30th could be programmed to operate in the consolidated narrowband spectrum only and thus not require relocation.

We appreciate that you have already provided some of this information to us, so just please respond with any of the above that remains. In addition, we notice that Harris County references 12 other counties as part of the a 13-county system. Should we be anticipating these other counties also requesting waiver relief?

As a final matter, would you please be sure to submit your waiver request and future responses in the following dockets only: PS 06-229 and WT 96-86. Thanks very much.

If you have any questions or concerns, please do not hesitate to contact me. If you cannot reach me, please contact Carol Simpson, who I've copied on this email. Carol's phone number is 202-418-2391.

Sincerely,

Jeffrey S. Cohen
Senior Legal Counsel
Public Safety and Homeland Security Bureau
Federal Communications Commission
(202) 418-0799

----- Original Message -----

From: Dodson, David <DDodson@hctx.net>
To: KJMWEB; Michael Copps; jonathan.adelstein@ff.gov <jonathan.adelstein@ff.gov>; dtaylorlortateweb; Robert McDowell; Daniel Gonzalez; Derek Poarch; Dana Shaffer; Carol Simpson
Cc: Bernard, Craig (ITC) <Craig.Bernard@itc.hctx.net>; Jennings, Steve (ITC) <Steve.Jennings@itc.hctx.net>; Johnson Todd-c18082 <Todd.Johnson@motorola.com>; Rinehart Bette-C18923 <C18923@motorola.com>
Sent: Wed Oct 17 16:55:25 2007
Subject: Waiver in 06-150

The attached waiver was filed today in WT Docket 06-150. This copy is being provided as a courtesy.

Please let me know if you have any questions or concerns.

David Dodson

Division Chief

Harris County Information Technology Center

2500 Texas Ave. Houston TX. 77003

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