

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)	WT Docket No. 02-55
)	
Improving Public Safety)	Licensee Name <u>Hialeah, City of</u>
Communications in the)	Call Sign <u>WPCT375</u>
800 MHz Band)	

To: Public Safety and Homeland Security Bureau, Federal Communications Commission

**REQUEST FOR INTERIM WAIVER
OF THE
JUNE 26, 2008 DEADLINE FOR COMPLETION OF 800 MHZ REBANDING**

Pursuant to Section 1.925 (47 C.F.R. § 1.925) of the rules of the Federal Communications Commission (Commission) and the Commission's *Public Notice*,¹ the above-referenced licensee ("Licensee") requests an interim waiver of the Commission's requirement for the Licensee to complete its 800 MHz rebanding by June 26, 2008.² The Licensee recognizes that the Commission has noted: "Requests for extension will be subject to a high level of scrutiny. Licensees will be expected to demonstrate that they have worked diligently and in good faith to complete rebanding expeditiously, and that the amount of additional time requested is no more than is reasonably necessary to complete the rebanding process."³

¹ Federal Communications Commission Provides Guidance for Submission of Requests for Waiver of June 26, 2008 Deadline for Completion of 800 MHz Rebanding, *Public Notice*, FCC 08-23 (rel. Jan. 17, 2008).

² See Improving Public Safety Communications in the 800 MHz Band, *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order*, 19 FCC Rcd 14969 (2004), *Third Memorandum Opinion and Order*, 22 FCC Rcd 17209, 17224 ¶ 48 (2007).

³ See FCC Announces Supplemental Procedures And Provides Guidance For Completion Of 800 MHz Rebanding, *Public Notice*, 22 FCC Rcd 17227, 17232 (2007).

**Request for Interim Waiver of the June 26, 2008
Deadline for Completion of 800 MHz Rebanding**

OMB Control Number 3060-1114
Expires September 30, 2008

Licensee Name HIALEAH, CITY OF
Call Sign WPCT375
DL 8910427935

Specifically, the Licensee requests until June 10, 2008 to complete negotiations and execute its Frequency Reconfiguration Agreement and submit a request for final waiver of the June 26, 2008 deadline for completion of 800 MHz rebanding.

The public interest would be served by granting the requested interim waiver because it would allow Licensee to complete the negotiation necessary to reband its 800 MHz system in a reasonable, prudent and timely manner consistent with the goals of the 800 MHz rebanding program. In support of this Request for Interim Waiver the Licensee provides the attached Interim Waiver Request Information Form and the following explanation of the reason(s) for not having completed FRA negotiations at this point, which is consistent with the assertion that a grant of the waiver would serve the public interest.

Incumbent and Sprint have worked diligently to resolve a number of problematic issues including but not limited to the problem of interference with Miami-Dade County and Channel 69, and the parties have, as of this date, reached an Agreement in principle. The Agreement requires approval by the City Council. The next available Council meeting is June 10, 2008. Accordingly, an extension until June 10, is hereby requested.

Finally, the licensee seeks confidential treatment of the Interim Waiver Request Information Form pursuant to Section 0.459 of the FCC's Rules because the information contained therein is highly sensitive regarding the operations of a public safety organization's communications system. Furthermore, the information contained in the form is not otherwise publicly available. The Licensee consents to the disclosure of the form to the 800 MHz Transition Administrator ("TA") and Sprint Nextel and requests that they treat the form as confidential.

**Request for Interim Waiver of the June 26, 2008
Deadline for Completion of 800 MHz Rebanding**

OMB Control Number 3060-1114
Expires September 30, 2008

Licensee Name HIALEAH, CITY OF

Call Sign WPCT375

DL 8910427935

Respectfully Submitted,

Signature

Date

Name and Title

Interim Waiver Request Information Form

Confidential treatment sought pursuant to Section 0.459 of the FCC's Rules.

If you do not have an executed FRA covering both subscriber units and infrastructure please provide as much information as possible in response to the following questions.

1 Licensee Information

1A	Licensee/Entity Name	Hialeah, City of
1B	Lead Call Sign	WPCT375
1C	Sprint Nextel PFA ID (if known)	DL 8910427935

Please designate an 800 MHz call sign that is subject to rebanding to be used for tracking purposes. If possible the selected call sign should include at least one fixed based station. The Licensee Name and Call Sign provided on this form should match the same information in the caption of the Request for Waiver to which this form is attached.

1D	Licensee Contact Person Name	Antonio E. Arce
1E	Licensee Contact Title	Telecommunications Manager
1F	Contact Address 1	83 East 5th Street – Room 239
1G	Contact Address 2	
1H	City	Hialeah
1I	State	Florida
1J	Zip	33010
1K	Business Phone Number	305-883-5821
1L	Business Fax Number	305-520-4600
1M	Email Address	aarce@hialeahfl.gov

2 Size and Complexity of System

2A	Equipment Manufacturer(s)	Motorola & EF Johnson
2B	Type of Radio System (check all the apply)	<input type="checkbox"/> <input type="checkbox"/> Conventional <input checked="" type="checkbox"/> Trunked <input checked="" type="checkbox"/> Simulcast <input type="checkbox"/> Other (e.g., data only) _____
2C	Number of Fixed Repeater	3

Interim Waiver Request Information Form
 Licensee/Entity Name HIALEAH, CITY OF
 Lead Call Sign WPC375
 DL 8910427935

OMB Control Number 3060-1114
 Expires September 30, 2008

Confidential treatment sought pursuant to
 Section 0.459 of the FCC's Rules.

		Sites			
2D	Number of Subscriber Units		Portables	Mobiles	Data
		To be Replaced	209	115	
		To be Reflashed	714	367	
		To be Retuned	104	108	88
		Not Yet Known	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3 Interoperability

3A Do you interoperate with other 800 MHz systems? **Yes**
 No

If yes, please list these agencies and describe how such interoperability will affect your rebanding schedule. Specifically note if there are agencies that must reband before you will be able to reband.

	Agency Name	Agency Lead Call Sign	Affect on Your Schedule	Must Reband Before
3B	Miami, City of	unknown	Will not affect our schedule	<input type="checkbox"/>
3C	Miami Beach, City of	unknown	Will not affect our schedule	<input type="checkbox"/>

(additional table space at the end of this form, page 3)

4 Steps Already Taken to Complete Physical Reconfiguration

Subscriber Equipment Deployment (SED) Program

Did you execute an FRA with Sprint Nextel for early reconfiguration of subscriber units?

4A **Yes** **No**

5 Frequency Reconfiguration Agreement (FRA)

5A On what date do you anticipate executing an FRA with Sprint Nextel that covers both subscriber units (mobiles and portables) and infrastructure (Month / Day / Year)?

06/10/2008

6 Implementation Planning Session (IPS)

Interim Waiver Request Information Form
Licensee/Entity Name HIALEAH, CITY OF
Lead Call Sign WPC375
DL 8910427935

OMB Control Number 3060-1114
Expires September 30, 2008

Confidential treatment sought pursuant to
Section 0.459 of the FCC's Rules.

6A NPSPAC Public Safety Region number: 9 [See:
<http://www.800ta.org/content/faqs/rpp.asp>]

6B Have you attended an IPS? **Yes** **No**

6C If no (6B), have you RSVPed to attend an IPS? **Yes**
 No

The TA has not scheduled an IPS in every NPSPAC Public Safety Region. IPSs are scheduled as needed based on the interoperability of the licensees in each region. For a schedule of IPSs held to date please see www.800ta.org.

Interim Waiver Request Information Form
 Licensee/Entity Name HIALEAH, CITY OF
 Lead Call Sign WPC375
 DL 8910427935

OMB Control Number 3060-1114
 Expires September 30, 2008

Confidential treatment sought pursuant to
 Section 0.459 of the FCC's Rules.

	Agency Name	Agency Lead Call Sign	Affect on Your Schedule	Must Reband Before
3D	Miami-Dade County	unknown	Will not affect our schedule	<input type="checkbox"/>
3E				<input type="checkbox"/>
3F				<input type="checkbox"/>
3G				<input type="checkbox"/>
3H				<input type="checkbox"/>
3I				<input type="checkbox"/>
3J				<input type="checkbox"/>
3K				<input type="checkbox"/>
3L				<input type="checkbox"/>
3M				<input type="checkbox"/>
3N				<input type="checkbox"/>
3P				<input type="checkbox"/>
3R				<input type="checkbox"/>
3S				<input type="checkbox"/>
3T				<input type="checkbox"/>

Interim Waiver Request Information Form
Licensee/Entity Name HIALEAH, CITY OF
Lead Call Sign WPC375
DL 8910427935

OMB Control Number 3060-1114
Expires September 30, 2008

Confidential treatment sought pursuant to
Section 0.459 of the FCC's Rules.

--	--	--	--	--

**** END OF FORM TA-14.1 ****

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

We are seeking this information to assist us in evaluating requests for waiver of the Commission's June 2008 deadline for the completion of 800 MHz rebanding. Response to this collection is required to retain a benefit (47 C.F.R. § 90.677). We have estimated that each response to this collection of information will take from 2 to 4 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, and actually complete and review the form or response. You may also seek confidential treatment of the information submitted on this form pursuant to Section 0.459 of the Commission's Rules. If you have any comments on this burden estimate, or on how we can improve the collection and reduce the burden it causes you, please e-mail them to pra@fcc.gov or send them to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-1114), Washington, DC 20554. Please **DO NOT SEND COMPLETED WAIVER REQUESTS TO THIS ADDRESS**. Remember - you are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-1114, which will expire on September 30, 2008.

**THE FOREGOING NOTICE IS REQUIRED BY THE
PAPERWORK REDUCTION ACT OF 1995, P.L. 104-13,
OCTOBER 1, 1995, 44 U.S.C. 3507.**