



# City of Virginia Beach

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August 30, 2010

Jeannie Benfaida  
Policy Analyst, Policy Division  
Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

**Subject: Amended Request for Waiver**

Ms. Benfaida,

This letter is in reference to the Request for Waiver (proceeding number 06-229) submitted on July 29, 2010 for the UASI 2007 ORION Expansion Frequencies. The ORION Steering Committee (OSC) met to discuss the issues and timing revolving around rebanding the ORION subscribers and infrastructure. We concluded that, although a December 31, 2010 date for rebanding of the ORION radio infrastructure is technically doable, it does not provide enough time for us to perform first touch rebanding on the 10,000+ subscribers. With this in mind, we are requesting use of the original pre-consolidation frequencies at all ORION/UASI sites (as listed below) until June 30, 2011. Please see attached FCC Application for Wireless Telecommunications Bureau Radio Service Authorization (FCC 601 form) for all sites.

The following is a listing of the 700 MHz State channels for the ORION project:

| State Channels | System | Original Base Tx Frequencies (Pre-Consolidation) | New Base Tx Frequencies (Post Consolidation) |
|----------------|--------|--|--|
| 645-646        | ORION  | 774.03125 MHz                                    | 773.03125 MHz                                |
| 689-690        | UASI   | 774.30625 MHz                                    | 773.30625 MHz                                |
| 725-726        | ORION  | 774.53125 MHz                                    | 773.53125 MHz                                |
| 733-734        | UASI   | 774.58125 MHz                                    | 773.58125 MHz                                |
| 769-770        | ORION  | 774.80625 MHz                                    | 773.80625 MHz                                |
| 805-806        | UASI   | 775.03125 MHz                                    | 774.03125 MHz                                |
| 813-814        | ORION  | 775.08125 MHz                                    | 774.08125 MHz                                |
| 849-850        | UASI   | 775.30625 MHz                                    | 774.30625 MHz                                |
| 853-854        | ORION  | 775.33125 MHz                                    | 774.33125 MHz                                |

|         |      |               |               |
|---------|------|---------------|---------------|
| 885-886 | UASI | 775.53125 MHz | 774.53125 MHz |
|---------|------|---------------|---------------|

The following is a listing of the RF sites by system:

| System         | RF Site Names  | City/County Location |
|----------------|----------------|----------------------|
| ORION Phase I  | Plaza Trail    | Virginia Beach       |
|                | Pleasant Ridge | Virginia Beach       |
|                | City Hall      | Norfolk              |
|                | Bunch Walnuts  | Chesapeake           |
|                | City Hall      | Hampton              |
|                | Station 8      | Newport News         |
|                | Whaleyville    | Suffolk              |
| ORION Phase II | 29th Street    | Virginia Beach       |
|                | Bowers Hill    | Chesapeake           |
|                | Lee Hall       | Newport News         |
|                | Downtown       | Suffolk              |
| UASI           | Owens-Brockway | James City County    |
|                | Animal Shelter | Gloucester County    |
|                | SBA Steel LLC  | Surry County         |

We are asking the FCC to approve this amendment request. Approval of this request will provide adequate time to reband the majority of our subscribers as well as the infrastructure at all 14 of the ORION radio site with the appropriate post consolidation frequencies. This will result in a more efficient and better coordinated rebanding effort, reduced costs for the FCC and Verizon and free up the pre-consolidation spectrum well ahead of what is otherwise expected. Your time and consideration is greatly appreciated.

Respectfully submitted,



Mick Vollmer, ORION Steering Committee Chair  
IT Administrator, Department of Communications and Information Technology  
City of Virginia Beach

cc: Todd H. Lane, City of Virginia Beach, Telecommunications  
ORION Steering Committee Members