

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Unlicensed Operation in the TV Broadcast
Bands

Additional Spectrum for Unlicensed Devices
Below 900 MHz and in the 3 GHz Band

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ET Docket No. 04-186

ET Docket No. 02-380

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APR 13 2011

To: Chief, Office of Engineering and Technology

Federal Communications Commission
Bureau / Office

REQUEST FOR WAIVER

Pursuant to Section 1.3 of the Commission's Rules, 47 C.F.R. Section 1.3, Allegiance Communications, LLC ("Allegiance") respectfully requests the Commission to grant a waiver of Section 15.712 (b) of the Commission's Rules, 47 C.F.R. Section 15.712 (b) to the extent set forth in this petition. Said waiver is in best the interest of the public and Allegiance's subscribers in particular and will not diminish the Commission's goals of facilitating the use of unlicensed communications devices and supporting the development of a competitive marketplace for wireless broadband services. Accordingly, the waiver is in the public interest and should be granted.

- 1. THE GRANT OF A WAIVER IS ESSENTIAL FOR THE CONTINUED ABILITY OF ALLEGIANCE, A SMALL RURAL CABLE TELEVISION OPERATOR TO PROVIDE VITAL SERVICES TO ITS SUBSCRIBERS.**

Allegiance recognizes that the Commission is seeking to promote the development of new and innovative consumer services based on wireless broadband. Simultaneously, the Commission seeks to protect those cable subscribers, primarily in

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rural areas of the country, which may experience disruption of their service due to interference from unlicensed devices. Consequently, we appreciate the opportunity to request a waiver from the Commission's Rules in those instances where Allegiance believes interference may occur, attached hereto as Exhibit A. In developing Exhibit A, Allegiance has used its best effort to include only those headends which are beyond 80 km from the edge of the protected contour of the stations noted. The waiver will impact 20% of Allegiance headends and will assure that Allegiance's subscribers will continue to receive clear signals from the impacted broadcasters.

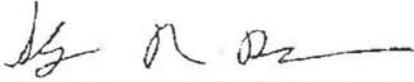
2. ALLEGIANCE'S HISTORY AND PRESENT OPERATIONAL STATUS.

Allegiance was formed on October 23, 2003, and commenced operations on April 15, 2004, with the acquisition of a series of cable systems. On September 18, 2006, the company acquired an additional series of cable systems. The systems are spread out over Arkansas, Kansas, Missouri, Oklahoma and Texas, and serve some 71,430 subscribers in two-hundred twenty one (221) communities from one hundred, twenty four (124) headends. The average number of subscribers per headend is four hundred thirteen (413), and 102 communities have less than 500 subscribers. Despite all of these challenges, Allegiance has upgraded a number of systems from 330 MHz to between 550 MHz and 870 MHz and now provides digital video services utilizing HITS to all its headends, high speed internet services to 37 headends and digital telephone service to the same 37 headends. Access to the affected television signals is vital to Allegiance's subscribers and the waiver will assure that they will continue to receive clear signals.

3. CONCLUSION AND REQUEST FOR RELIEF PURSUANT TO THE WAIVER PROVISION OF SECTION 1.3.

For the reasons stated above, Allegiance requests a waiver of Section 15.712 (b) of the Commission's Rules, 47 C.F.R. Section 15.712 (b) to the extent set forth in this petition. Said waiver is in best the interest of the public and Allegiance's subscribers in particular and will not diminish the Commission's goals to facilitate the use of unlicensed communications devices and the development of a competitive marketplace for wireless broadband.

Respectfully submitted,



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