

Stephen Ross, Esquire

3015 Fernwood Ave., Los Angeles, CA 90039. 323-449-0522. stephenrobertross.com

April 4, 2011

FILED/ACCEPTED

APR 19 2011

Federal Communications Commission
Office of the Secretary

~~Received & Inspected~~

~~APR 05 2011~~

~~FCC Mail Room~~

Via Federal Express

Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Room TW-A325
Washington, DC 20554

ET Doc. No. 04-186

Re: Allegiance Communications, LLC Request for Waiver of Section 15.712 (b) of the Commission's Rules, 47 C.F.R. Section 15.712 regarding the Unlicensed Operation in the TV Broadcast Bands and Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band

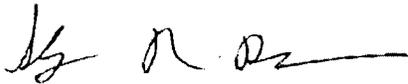
Dear Ms Dortch:

In response to the FCC deadline of April 5, 2011, Allegiance Communications, LLC is filing by the enclosed attachment a Request of Waiver of Section 15.712 (b) of the Commission's Rules, 47 C.F.R. Section 15.712 regarding the Unlicensed Operation in the TV Broadcast Bands and Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band. I have attached an original plus five copies and enclosed a pre addressed envelope for a dated and stamped copy to be sent to me for my records.

Also attached is the Certification of William Haggarty, Chief Executive Officer of Allegiance Communications, LLC.

Please feel free to contact me if you have any questions or concerns regarding this filing.

Respectfully submitted,



Dated: April 4, 2011

Stephen R. Ross, Esq.
3015 Fernwood Avenue
Los Angeles, CA 90039
Attorney for Allegiance Communications, LLC
Phone #: 323-661-7755

Attachments

No. of Copies rec'd 1
List ABCDE

cc: Jane E. Bremer, Esq.
William L. Haggarty

Received & Inspected

APR 05 2011

FCC Mail Room

Before the

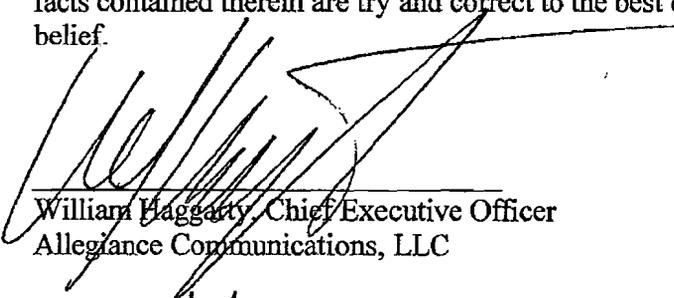
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Unlicensed Operation in the TV Broadcast)	ET Docket No. 04-186
Bands)	
)	ET Docket No. 02-380
Additional Spectrum for Unlicensed Devices)	
Below 900 MHz and in the 3 GHz Band)	

CERTIFICATION OF WILLIAM HAGGARTY

I, William Haggarty, Chief Executive Officer of Allegiance Communications, LLC, have read the Request For Waiver to which this Certification is attached and certify that the facts contained therein are true and correct to the best of my knowledge, information and belief.



William Haggarty, Chief Executive Officer
Allegiance Communications, LLC

Date 4/1/2011

Received & Inspected

APR 05 2011

FCC Mail Room

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Unlicensed Operation in the TV Broadcast)	ET Docket No. 04-186
Bands)	
Additional Spectrum for Unlicensed Devices)	ET Docket No. 02-380
Below 900 MHz and in the 3 GHz Band)	

To: Chief, Office of Engineering and Technology

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

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.

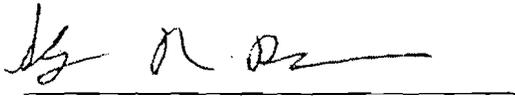
2. ALLEGIANCE'S HISTORY AND PRESENT OPERATIONAL STATUS.

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,

A handwritten signature in black ink, appearing to read "S. R. Ross", is written over a horizontal line.

Stephen R. Ross, Esq.
3015 Fernwood Avenue
Los Angeles, CA 90039
Attorney for Allegiance Communications, LLC
Phone #: 323-661-7755

Received & Inspected
 APR 05 2011
 FCC Mail Room

State	Headend	Station	Affiliation	Headend Coordinates (from Google Earth)	Station Location	Broadcast DMA	Station Coordinates
OK	Arpelar	KAUT	MNT	34 56'26.35"N - 95 57'32.62"W	Oklahoma City, OK	Oklahoma City, OK	35 35'22"97 29'03"
OK	Arpelar	KFOR	NBC		Oklahoma City, OK	Oklahoma City, OK	35 35'22"97 29'22"
OK	Arpelar	KMYT	MNT		Tulsa, OK	Tulsa, OK	36 01'36"95 40'44"
OK	Arpelar	KOCB	CW		Oklahoma City, OK	Oklahoma City, OK	35 32'58"97 29'18"
OK	Arpelar	KOCO	ABC		Oklahoma City, OK	Oklahoma City, OK	35 33'45"97 29'24"
OK	Arpelar	KOKH	FOX		Oklahoma City, OK	Oklahoma City, OK	35 32'58"97 29'18"
OK	Arpelar	KOKI	FOX		Tulsa, OK	Tulsa, OK	36 01'36"95 40'44"
OK	Arpelar	KTBO	TBN		Oklahoma City, OK	Oklahoma City, OK	35 34'35"97 29'09"
OK	Arpelar	KWTV	CBS		Oklahoma City, OK	Oklahoma City, OK	35 35'52"97 29'22"
OK	Clayton	KFSM	CBS	34 36'49.28"N - 95 20'55.27"W	Ft. Smith, AR	Ft. Smith-Fayetteville-Springdale-Rogers, AR	35 49'49"94 09'24"
OK	Clayton	KFTA	FOX		Ft. Smith, AR	Ft. Smith-Fayetteville-Springdale-Rogers, AR	35 42'36"94 08'15"
OK	Clayton	KJRH	NBC		Tulsa, OK	Tulsa, OK	35 01'15"95 40'32"
OK	Clayton	KTEN	NBC		Ada, OK	Sherman, TX-Ada, OK	34 21'34"96 33'34"
OK	Clayton	KXII	CBS		Amarillo, TX	Amarillo, TX	34 01'58"96 48'00"
AR	Corning	KARK	NBC	35 25'14.07"N - 90 34'54.62"W	Little Rock, AR	Little Rock-Pine Bluff, AR	34 47'57"92 29'59"
AR	Corning	KATV	ABC		Little Rock, AR	Little Rock-Pine Bluff, AR	34 47'49"92 29'19.5"
AR	Corning	KBSI	FOX		Cape Girardeau, MO	Paducah, KY-Cape Girardeau-Harrisburg, MO-Mount Vernon, IL	37 24'23"89 33'44"
AR	Corning	KFVS	CBS		Cape Girardeau, MO	Paducah, KY-Cape Girardeau-Harrisburg, MO-Mount Vernon, IL	37 25'46"89 30'14"
AR	Corning	WMC	NBC		Memphis, TN	Memphis, TN	35 16'33"89 46'38"
AR	Daisy	KARZ (fka KWBF)	MNT	34 14'53.22N - 93 42'46.35"W	Little Rock, AR	Little Rock-Pine Bluff, AR	34 47'57"92 29'59"
AR	Daisy	KASN	CW		Pine Bluff, AR	Little Rock-Pine Bluff, AR	34 26'31"92 13'03"
AR	Daisy	KLRT	FOX		Little Rock, AR	Little Rock, Pine Bluff, AR	34 47'57"92 29'29"
AR	Daisy	KYPX	ION		Camden, AR	Little Rock-Pine Bluff, AR	
AR	De Queen	KARK	NBC	34 01'00.92N - 94 20'24.62"W	Little Rock, AR	Little Rock-Pine Bluff, AR	34 47'57"92 29'59"
AR	De Queen	KATV	ABC		Little Rock, AR	Little Rock-Pine Bluff, AR	34 47'49"92 29'19.5"
AR	De Queen	KMSS	FOX		Shreveport, LA	Shreveport, LA	32 39'58"93 55'59"
AR	De Queen	KPXJ	CW		Minden, LA	Shreveport, LA	32 44'40"93 22'54"
AR	De Queen	KSHV	MNT		Shreveport, LA	Shreveport, LA	32 39'57"93 55'58"
AR	De Queen	KSLA	CBS		Shreveport, LA	Shreveport, LA	32 40'28"93 56'00"
AR	De Queen	KTHV	CBS		Little Rock, AR	Little Rock, Pine Bluff, AR	34 47'57"92 29'59"
OK	Dustin	KOPX	ION	35 16'19.96"N - 96 01'38.67"W	Oklahoma City, OK	Oklahoma City, OK	35 35'52"97 29'22"
OK	Dustin	KTBO	TBN		Oklahoma City, OK	Oklahoma City, OK	35 34'35"97 29'09"
OK	Dustin	KTUZ	TMO		Oklahoma City, OK	Oklahoma City, OK	35 33'36"97 29'07"
OK	Haileyville	KWHB	IND	34 50'40.57"N - 95 34'47.48"W	Tulsa, OK	Tulsa, OK	36 01'15"95 40'32"
KS	Harper	KMTW	MNT	37 17'23.30"N - 98 01'34.30"W	Hutchinson, KS	Wichita-Hutchinson, KS	37 56'23"97 30'42"
KS	Herington	KAKE	ABC	38 40'30.35"N - 96 57'31.30"W	Wichita, KS	Wichita-Hutchinson, KS	37 46'53"97 31'08"
KS	Herington	KPTS	PBS		Hutchinson, KS	Wichita-Hutchinson, KS	38 03'21"97 46'35"
KS	Herington	KSAS	FOX		Hutchinson, KS	Wichita-Hutchinson, KS	37 46'40"97 30'37"
KS	Herington	KSNK	NBC		Wichita-Hutchinson, KS	Wichita, KS	39 49'48"100 42'04"
KS	Herington	KSNW	NBC		Wichita-Hutchinson, KS	Wichita, KS	37 46'26"97 30'51"
OK	Holdenville	KOKI	FOX	35 06'27.30"N - 96 23'54.80"W	Tulsa, OK	Tulsa, OK	36 01'36"95 40'44"
OK	Howe	KTUL	ABC	34 56'54.80"N - 94 38'31.68"W	Tulsa, OK	Tulsa, OK	35 58'08"95 36'55"
OK	Keota	KDOR	TBN	35 15'10.96"N - 94 55'21.16"W	Bartlesville, OK	Tulsa, OK	36 30'59"95 46'10"
OK	Keota	KMYT	MNT		Tulsa, OK	Tulsa, OK	36 01'36"95 40'44"
OK	Keota	KOKI	FOX		Tulsa, OK	Tulsa, OK	36 01'36"95 40'44"
OK	Keota	KQCW	CW		Muskogee, OK	Tulsa, OK	36 01'15"95 40'32"

OK	Keota	KTUL	ABC		Tulsa, OK	Tulsa, OK	35 58'08"95 36'55"
OK	Keota	KWHB	IND		Tulsa, OK	Tulsa, OK	36 01'15"95 40'32"
OK	McAlester	KDOR	TBN	34 56'06.61N - 95 47'12.74"W	Bardesville, OK	Tulsa, OK	36 30'59"95 46'10"
OK	McAlester	KTPX	ION		Okmulgee, OK	Tulsa, OK	35 50'02"96 07'28"
OK	McAlester	KWHB	IND		Tulsa, OK	Tulsa, OK	36 01'15"95 40'32"
OK	McCurtain	KDOR	TBN	35 09'19.71"N - 94 57'50.12W	Bartlesville, OK	Tulsa, OK	36 30'59"95 46'10"
OK	McCurtain	KJRH	NBC		Tulsa, OK	Tulsa, OK	35 01'15"95 40'32"
OK	McCurtain	KMYT	MNT		Tulsa, OK	Tulsa, OK	36 01'36"95 40'44"
OK	McCurtain	KOKI	FOX		Tulsa, OK	Tulsa, OK	36 01'36"95 40'44"
OK	McCurtain	KQCW	CW		Muskogee, OK	Tulsa, OK	36 01'15"95 40'32"
OK	McCurtain	KTUL	ABC		Tulsa, OK	Tulsa, OK	35 58'08"95 36'55"
OK	McCurtain	KWHB	IND		Tulsa, OK	Tulsa, OK	36 01'15"95 40'32"
AR	McGehee	KARD	FOX	33 37'27.48N - 91 24'25.79"W	West Monroe	Monroe, LA-Eldorado, AR	32 05'42"92 10'34"
AR	McGehee	KARK	NBC		Little Rock, AR	Little Rock-Pine Bluff, AR	34 47'57"92 29'59"
AR	McGehee	KARZ (fka KWBF)	MNT		Little Rock, AR	Little Rock-Pine Bluff, AR	34 47'57"92 29'59"
AR	McGehee	KKAP	ETV		Little Rock, AR	Little Rock, Pine Bluff, AR	
AR	McGehee	KLRT	FOX		Little Rock, AR	Little Rock, Pine Bluff, AR	34 47'57"92 29'29"
AR	McGehee	KTHV	CBS		Little Rock, AR	Little Rock, Pine Bluff, AR	34 47'57"92 29'59"
AR	McGehee	KTYE	NBC		El Dorado, AR	Monroe, LA-El Dorado, AR	33 04'41"92 13'41"
AR	McGehee	KYPX	ION		Camden, AR	Little Rock-Pine Bluff, AR	
KS	Meade	KCIT	FOX	37 16'28.36"N - 100 20'38.42"W	Amarillo, TX	Amarillo, TX	35 20'33"101 49'21"
KS	Meade	KLKT	LP		Wichita-Hutchinson, KS	Wichita, KS	32 03'13"100 51'22"
KS	Meade	KSAS	FOX		Hutchinson, KS	Wichita-Hutchinson, KS	37 46'40"97 30'37"
KS	Meade	KSCW	CW		Wichita-Hutchinson, KS	Wichita, KS	37 48'01"97 31'29"
KS	Meade	KSNK	NBC		Wichita-Hutchinson, KS	Wichita, KS	39 49'48"100 42'04"
KS	Meade	KSNW	NBC		Wichita-Hutchinson, KS	Wichita, KS	37 46'26"97 30'51"
KS	Medicine Lodge	KAKE	ABC	37 18'10.96"N - 98 34'22.91"W	Wichita, KS	Wichita-Hutchinson, KS	37 46'53"97 31'08"
KS	Medicine Lodge	KMTW	MNT		Hutchinson, KS	Wichita-Hutchinson, KS	37 56'23"97 30'42"
KS	Medicine Lodge	KPTS	PBS		Hutchinson, KS	Wichita-Hutchinson, KS	38 03'21"97 46'35"
KS	Medicine Lodge	KSAS	FOX		Hutchinson, KS	Wichita-Hutchinson, KS	37 46'40"97 30'37"
KS	Medicine Lodge	KSCW	CW		Wichita-Hutchinson, KS	Wichita, KS	37 48'01"97 31'29"
KS	Medicine Lodge	KSNK	NBC		Wichita-Hutchinson, KS	Wichita, KS	39 49'48"100 42'04"
KS	Medicine Lodge	KSNW	NBC		Wichita-Hutchinson, KS	Wichita, KS	37 46'26"97 30'51"
KS	Medicine Lodge	KWCH	CBS		Hutchinson, KS	Wichita-Hutchinson, KS	38 03'38"97 45'49"
AR	Murfreesboro	KARZ (fka KWBF)	MNT	34 02'53.58N - 93 41'15.45"W	Little Rock, AR	Little Rock-Pine Bluff, AR	34 47'57"92 29'59"
AR	Murfreesboro	KATV	ABC		Little Rock, AR	Little Rock-Pine Bluff, AR	34 47'49"92 29'19.5"
AR	Murfreesboro	KMSS	FOX		Shreveport, LA	Shreveport, LA	32 39'58"93 55'59"
AR	Murfreesboro	KPXJ	CW		Minden, LA	Shreveport, LA	32 44'40"93 22'54"
AR	Murfreesboro	KSLA	CBS		Shreveport, LA	Shreveport, LA	32 40'28"93 56'00"
AR	Murfreesboro	KYPX	ION		Camden, AR	Little Rock-Pine Bluff, AR	
TX	New Boston	KFDX	NBC	33 26'06.70"N - 94 24'44.91"W	Wichita Falls, TX- Lawton, OK	Wichita Falls, TX	
TX	New Boston	KJTL	FOX		Wichita Falls, TX- Lawton, OK	Wichita Falls, TX	34 12'05"98 43'45"
OK	Newkirk	KAUT	MNT	36 54'19.53"N - 97 03'05.92"W	Oklahoma City, OK	Oklahoma City, OK	35 35'22"97 29'03"
OK	Newkirk	KMTW	MNT		Hutchinson, KS	Wichita-Hutchinson, KS	37 56'23"97 30'42"
OK	Newkirk	KTBO	TBN		Oklahoma City, OK	Oklahoma City, OK	35 34'35"97 29'09"
TX	Preston Peninsula	KDAF	CW	33 51'04.71"N - 96 40'18.02"W	Dallas, TX	Dallas-Ft. Worth, TX	32 32'35"96 57'32"
TX	Preston Peninsula	KDFI	MNT		Dallas, TX	Dallas-Ft. Worth, TX	32 32'35"95 57'32"
TX	Preston Peninsula	KERA	PBS		Dallas, TX	Dallas-Ft. Worth, TX	32 34'43"96 57'12"
TX	Preston Peninsula	KTAQ	IND		Greenville	Dallas-Ft. Worth, TX	32 32'36"96 57'32"

TX	Preston Peninsula	KTVT	CBS		Ft. Worth, TX	Dallas-Ft. Worth, TX	32 34'43"96 57'12"
TX	Preston Peninsula	KTXA	IND		Ft. Worth, TX	Dallas-Ft. Worth, TX	32 32'35"96 57'32"
TX	Preston Peninsula	WFAA	ABC		Dallas, TX	Dallas-Ft. Worth, TX	32 35'06"96 58'41"
OK	Savanna	KDOR	TBN	34 48'31.33"N - 95 51'37.96"W	Bartlesville, OK	Tulsa, OK	36 30'59"95 46'10"
KS	Sedan	KOAM	CBS	35 25'44.87"N - 96 19'43.62"W	Pittsburg, KS	Joplin, Mo-Pittsburg, KS	37 13'15"94 42'25"
KS	Sedan	KQCW	CW		Muskogee, OK	Tulsa, OK	36 01'15"95 40'32"
KS	Sedan	KSNF	NBC		Joplin, MO	Joplin, Mo-Pittsburg, KS	37 04'33"94 33'16"
KS	Sedan	KTPX	ION		Okmulgee, OK	Tulsa, OK	35 50'02"96 07'28"
KS	Sedan	KWHB	IND		Tulsa, OK	Tulsa, OK	36 01'15"95 40'32"
OK	Vian	KGEB	IND	35 30'25.34"N - 94 59'47.71"W	Tulsa, OK	Tulsa, OK	36 02'35"95 57'11"
OK	Weleetka	KOPX	ION	35 21'07.22"N - 96 07'44.55"W	Oklahoma City, OK	Oklahoma City, OK	35 35'52"97 29'22"
OK	Wetumka	KAUT	MNT	35 14'20.69"N - 96 12'30.12"W	Oklahoma City, OK	Oklahoma City, OK	35 35'22"97 29'03"
OK	Wetumka	KFOR	NBC		Oklahoma City, OK	Oklahoma City, OK	35 35'22"97 29'22"
OK	Wetumka	KOCB	CW		Oklahoma City, OK	Oklahoma City, OK	35 32'58"97 29'18"
OK	Wetumka	KOCO	ABC		Oklahoma City, OK	Oklahoma City, OK	35 33'45"97 29'24"
OK	Wetumka	KOKH	FOX		Oklahoma City, OK	Oklahoma City, OK	35 32'58"97 29'18"
OK	Wetumka	KTBO	TBN		Oklahoma City, OK	Oklahoma City, OK	35 34'35"97 29'09"
OK	Wetumka	KTUZ	TMO		Oklahoma City, OK	Oklahoma City, OK	35 33'36"97 29'07"
OK	Wetumka	KWTV	CBS		Oklahoma City, OK	Oklahoma City, OK	35 35'52"97 29'22"
OK	Wister	KTUL	ABC	34 57'47.80"N - 94 43'24.70"W	Tulsa, OK	Tulsa, OK	35 58'08"95 36'55"