

FILED/ACCEPTED

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Federal Communications Commission  
Office of the Secretary

99-817

AVISTA CORPORATION  
FRN - 0001583293

**SUPPLEMENT TO AND MODIFIED REQUEST FOR EXTENSION OF  
NARROWBANDING DEADLINE**

Avista Corporation (“Avista” or “the Company”), pursuant to Section 1.925 of the Commission’s rules<sup>1</sup> and the July 13, 2011 Public Notice providing guidance for the submission of narrowbanding extension requests,<sup>2</sup> respectfully requests leave and permission to submit this Supplement and Modified Request for Extension of Narrowbanding Deadline (“Supplemental Request”) to its “Request for Extension of Narrowbanding Deadline” submitted on December 12, 2011 (“Request for Extension”). In its Request for Extension, Avista sought a conditional 24-month extension of the January 1, 2013 deadline for private land mobile radio services in the 150-174 MHz VHF band to migrate to narrowband technology (“Narrowbanding Deadline”) in order to construct and implement its long-planned Private Land Mobile Radio (“PLMR”) system operating on Automated Maritime Telecommunications Service (“AMTS”) 217-219 MHz assignments.<sup>3</sup>

Herein, Avista modifies its Request for Extension, seeking a 21-month extension of the Narrowbanding Deadline (or until September 30, 2014). In addition, Avista commits to providing system implementation status reports by October 15 of 2012 and 2013, respectively, and notice to the Wireless Bureau as its VHF licenses are cancelled.

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<sup>1</sup> See 47 C.F.R. § 1.925.

<sup>2</sup> See Wireless Telecommunications Bureau, Public Safety and Homeland Security Bureau, and Office of Engineering and Technology Provide Reminder of January 1, 2013 Deadline for Transition to Narrowband Operations in the 150-174 MHz and 421-512 MHz Bands and Guidance for Submission of Requests for Waiver and Other Matters, Public Notice, DA 11-1189 (rel. July 13, 2011)(“Waiver Guidance Public Notice”).

<sup>3</sup> Request for Extension, pp. 4-7.

## **I. Introduction**

The Supplemental Request is being provided to explain and clarify the impact on Avista's ability to meet the Narrowbanding Deadline in light of the Commission's Order of January 13, 2012, granting Avista's December 23, 2009 applications for base station transmitter interference mitigation and its engineering analysis and resolution plan to operate its long planned, replacement PLMR system.<sup>4</sup> As explained in the Request for Extension, Avista's efforts to construct and implement its 217-219 MHz system were delayed for the better part of three years due to the Petition to Deny filed by Spokane Television, Inc., the owner of channel 13 television station KXLY-TV in the Spokane Washington area.<sup>5</sup>

## **II. Discussion**

### **A. Avista is Fully Incited to Construct its 217/219 MHz System as Quickly as Possible**

The requested 21-month extension is consistent with Avista's initial plans. Unlike many entities striving to meet the January 1, 2013, Avista had long planned the wholesale replacement of its VHF system. The Company's analysis indicated a typical narrowband migration strategy from the Company's existing VHF simplex system to a site-based Part 90 (VHF/ UHF) system, yielded limited opportunity in meeting existing

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<sup>4</sup> In the Matter of Applications of Avista Corporation to Modify Licenses for Automated Maritime Telecommunications System Stations WQKP817, WQKP819, and WQKP820, File Nos. 0004076538, 0004076539, 0004076544, Order, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, DA No. 12-45, (released January 13, 2012) (the Commission found that Avista's plan to control interference, required by Section 80.215(h)(3)(ii) of the Commission's Rules, is sufficient with respect to twenty-one proposed sites; granted applications for three sites subject to additional interference mitigation obligations; and denied the application for the Ritzville Office site, noting that the Commission's predicted level of interference may be remedied by minor modifications to proposed operations at this site) ((hereinafter "the Avista Order").

<sup>5</sup> Oregon Public Broadcasting also filed a Petition to Deny certain other Avista AMTS base station locations. Due to the delay in processing those applications Avista cancelled its plans to deploy a next-generation AMTS system and is not requesting a narrowband deadline extension for those licenses.

or future operational and scalability requirements. Because the Company's service territory is comprised of diverse and challenging terrain including dense forests, high mountain ranges and desert with deep ravines, 800 MHz spectrum is not practical for the Company's expansive wide-area coverage needs.

The Company finalized negotiations and acquired AMTS spectrum in early 2009. Avista opted to pursue AMTS spectrum to deploy a new PLMR system that would support mobile and fixed applications, providing increased functionality promoting enhanced reliability in provision of retail energy supplies to consumers and businesses and the safety of its customers, employees and contractors. An exclusive-use, trunked, geographical area licensed system yields improved signal-to-noise performance as well as more efficient and effective management thereof.<sup>6</sup>

More particularly, migration to a trunked, half duplex 217-219 MHz system provides substantial advantages over aging VHF simplex infrastructure. Enhanced functionality (i.e. – messaging, AVL, beyond line-of-sight communication less 3<sup>rd</sup> party intervention, OTA stun & revive etc.) contribute significantly to the safety and efficiency of Avista resources. Multiple work groups are able to converse independently and simultaneously. GPS capabilities allow for advanced utility crew location and tracking while optimizing incident dispatching and response. Unit location data will be utilized in an outage management plan enabling more efficient resource routing both in day-to-day and emergency operations.

Thus, the incentives for the Company to construct and implement its PLMR system have been and remain immediate and substantial. Avista's PLMR system is an

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<sup>6</sup> Initial Waiver Request, pp. 6-7

integral component within its energy delivery business. Mobile communications provides an ability to respond, manage and ensure timely restoration of its critical electric and gas infrastructure in weather related and/or other emergency situations at a level of priority not offered by commercial wireless services. Implementing the more advanced PLMR system has been and remains a critical Company-wide business objective.

**B. Challenges of Constructing Avista's New Wireless Network in Its Service Territory Drive the Buildout Timeframe**

When the Company filed its applications to modify its 217/219 MHz licenses in December 2009, Avista reasonably anticipated the Commission would act on its applications by the end of the 1<sup>st</sup> Quarter or early 2<sup>nd</sup> Quarter of 2010, providing Avista three full construction seasons (mid-May through September) for 2010, 2011 and 2012 to complete construction and implementation of the AMTS system, well in advance of January 1, 2013. Avista sought a 24-month extension of the Narrowbanding Deadline, consistent with the realities of constructing the proposed Wireless system in Avista's service territory.

Urban-area narrowbanding poses few challenges beyond installation of transmitters and antennas on existing infrastructure. Many critical infrastructure industry ("CII") firms and public safety agencies in urban areas have multiple infrastructure options (tower sites) and lower power repeater transmit locations – street lights, utility poles – etc and either Wireline carrier services or readily-accessible utility-owned fiber for backhaul. Towers operated and maintained by major tower management companies or well-developed sites at locations controlled by licensees are generally accessible by paved roads, have ample concrete pads, cabinets and enclosures, and electric power resources.

The Avista service territory differs significantly from urban-based service territories of CII entities and public safety systems. Readily accessible antenna structures with all necessary related infrastructure—energy supplies, including back up, enclosures and sufficient buildout space, concrete pads—managed by national or regional tower companies are not available at the Company’s sites. Site development and related site infrastructure installation pose substantial challenges in Avista’s service territory. Mountaintop sites are largely inaccessible during seven (7) months per year. Replacement, enhancement or installation of new towers pose unique challenges. Workspaces are hazardous, useable space is limited, delivering supplies and equipment are logistical challenges in and of themselves.<sup>7</sup> Concrete pads to support backup energy sources or new or replacement towers must be constructed.

Modifications and extensions to Company-owned fiber or microwave facilities are also required. At many sites, carrier services are not available and Company-owned fiber and microwave backhaul are strongly preferred/mandatory so that Avista controls its entire network for reliability and timely service restoration in the event of outages. At a minimum, existing backhaul infrastructure must be reconfigured to support multi-channel trunked operations at 217/219 MHz at all authorized sites.

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Should the Commission require additional information, it is asked to contact Avista’s telecommunications counsel: Douglas Jarrett, Keller and Heckman LLP, 1001 G Street NW, Washington, DC 20001; 202-434-4180; e-mail: jarrett@khlaw.com; or Greg Kunkle, 202-434-4178; e-mail: kunkle@khlaw.com.

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<sup>7</sup> As noted in Exhibit A, many of Avista’s authorized sites have ground elevations just below or at and above one-mile above mean sea level (“AMSL”).

## Exhibit A

<b>Site Name</b>	<b>Lat NAD83</b>	<b>Lon NAD 83</b>	<b>Site Elevation (m)</b>
Black Mtn	48-36-38	116-15-27.8	1860
Bull River	48-02-1.0	115-51-46.7	723
Cabinet MW	48-05-31.6	116-03-27.1	758
Colville Mtn	48-34-23.6	117-53-50.1	1010
Cottonwood Butte	46-04-08.7	116-27-56.0	1739
Creston	47-44-36.8	118-31-46.5	859
Devils Gap MW	47-49-41	117-50-53.2	526
Flagstaff	48-54-31.3	117-52-10.1	1300
Goose Peak	47-33-44.2	115-50-37.2	1926
Lewiston Ridge	46-27-20.8	117-02-50.0	884
Lind	46-53-48.7	118-33-50.4	568
Mica Peak	47-37-20.8	116-59-17.4	1582
Monumental Mtn	48-29-25.2	118-03-57.9	1689
Mt Spokane	47-55-19.2	117-06-50.6	1782
Noxon MW	47-57-52.8	115-44-52.6	707
Pilot Knob	45-54-22.1	115-42-27.9	2167
Sandpoint	48-19-51.5	116-41-38.5	1874
Shawnee	46-49-30.4	117-16-4.4	717
St. Joe Baldy	47-21-49.8	116-24-47.8	1764
Steptoe	47-01-56.2	117-17-49.8	1092
Teaken Butte	46-35-29	116-23-26.7	1254
Three Springs	47-27-03.1	119-33-16.3	802
West Twin	46-48-10.6	116-54-55.1	1382