

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
BOONE COUNTY, IOWA,)
BOONE COUNTY HOSPITAL,)
CITY OF BOONE, IOWA,)
CITY OF MADRID, IOWA,)
CITY OF PILOT MOUND, IOWA)
CITY OF ODGEN, IOWA)
)
)
)
Request For Extension Of Mandatory)
Narrowbanding Deadline)
)
Implementation of Sections 309(j) and 337 of the)
Communications Act of 1934 as Amended)

FILED/ACCEPTED

SEP 11 2012

Federal Communications Commission
Office of the Secretary

WT Docket No. 99-87

To: The Commission

PETITIONERS' REQUEST FOR EXTENSION

Boone County, Iowa, the Boone County Hospital, and the Cities of Boone, Madrid, Pilot Mound, and Ogden, Iowa (collectively, "Petitioners"),¹ through counsel and pursuant to Section 1.925 of the Commission's Rules, 47 C.F.R. §1.925, and the Commission's Public Notice of July 13, 2011,² hereby submits its request for a limited extension of the Commission's January 1, 2013 deadline for all VHF and UHF Part 90 operations to migrate to narrowband (maximum 12.5 kHz bandwidth or equivalent efficiency).³ In support thereof, the following is shown:

¹ A copy of this document is being served on adjacent channel licensees, in order that they might be informed as to the Petitioners' narrowbanding plans. Adjacent channel licensees seeking any additional information should contact Gregory Oshel of Shulman Rogers at goshel@shulmanrogers.com.

² 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, released July 13, 2011 ("*Narrowbanding Extension Public Notice*").

³ See, Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended, *Second Report and Order and Second Further Notice of Proposed Rulemaking*, WT Docket No. 99-87, RM-9332, 18 FCC Rcd 3034 (2003)("Second R&O"); Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended, *Third Memorandum Opinion and Order, Third Further Notice of Proposed Rule Making and Order*, WT Docket No. 99-87, RM-9332, 19 FCC Rcd 2-545 (2004)("Third

I. BACKGROUND

Petitioners, four cities, a county, and a county-owned hospital in Iowa, have used a VHF radio system with separate channels for different types of users. Exhibit 1, attached hereto, lists Petitioners' land mobile stations licensed pursuant to Part 90 of the Commission's Rules and impacted by the Commission's narrowbanding rules.

The installation of the new system has been delayed due to the lengthy tower site acquisition process, putting the project completion date past January 1, 2013. Much of the delay was caused by negotiations with third party site owners to gain permission to mount equipment on two of the four towers being used and waiting for the completion of structural engineering analysis. There were also delays due to funding.

Despite the aforementioned delays, a great amount of progress has taken place. Subscriber unit radios have been ordered and will be installed in the next few months. Paging equipment is on order and upgrade and enhancements to the paging system will be underway late this year. The microwave system will be installed later this year. Licensing has applications have been submitted, but repeater equipment cannot be ordered for the law enforcement and fire channels until frequencies are assigned for the three new sites. On this basis, Petitioners request a waiver of the Commission's Rules to permit additional time for Petitioners to complete their narrowbanding effort.

II. PETITIONERS' EXTENSION REQUEST

The Commission's *Narrowbanding Extension Public Notice* contains a list of questions which the Commission requests that applicants seeking extension provide information on in their extension requests. The following represents Petitioners' responses to those questions and issues.

A. Steps Already Taken To Complete The Narrowband Transition

Petitioners have already hired a consultant to write an Request for Proposals, issued a Request for Proposals, selected a vendor, awarded a contract, and conducted a detailed design review. Site selection is complete and agreements have been negotiated. Infrastructure equipment has been selected and orders for items not frequency dependent have been placed.

MO&O"); Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended, Order, WT Docket No. 99-87, RM-9332, 25 FCC Rcd 8861 (2010)(*"Narrowbanding Waiver Order"*); see also 47 C.F.R. §§90.203(j), 90.209(b).

B. System Size And Complexity

The County's existing system is a conventional VHF system with a single site supporting the entire County for each channel (one law enforcement channel, one shared channel for fire and paging, and one engineering channel). The replacement system will be a four site, two channel digital VHF system shared between all public safety agencies in the County. The paging system will be modified from a single site receive-only to a receive and transmit four site analog simulcast system. The engineering department will transition to a conventional digital VHF system on their existing channel (one site).

As part of the transition to the replacement system, petitioners will be purchasing a total of 153 mobile digital radios, 216 portable digital radios, 10 base stations and 54 pagers.

C. Whether System Equipment Must Be Replaced Or Upgraded

Due to the age of their equipment, all of Petitioners' infrastructure equipment and about three-fourths of Petitioners' subscriber units are not narrowband capable. The remaining narrowband-capable equipment is being moved to other Boone County departments, such as public works, that will remain analog.

D. Planned System Upgrades During Narrowbanding

All fourteen Boone County public safety agencies and three non-public safety agencies will share the new Nexedge Advanced Digital Communications multi-site IP network system. By upgrading the entire system to a digital NXDN solution they will take advantage of advanced features, extended coverage, and digital security.

E. Funding Sources, Government Approval, Multi-Year Budgeting

The Boone County 9-1-1 board has set aside \$150,000 for the project. In addition, over \$400,000 in grant funds have been obtained. The remaining project cost will be funded through a municipal lease.

F. Narrowbanding Scheduling Dependency On Neighboring Licensees

The Petitioners' narrowbanding schedule does not depend on any neighboring licensees.

G. Plans To Minimize Impact On Co-Channel And Adjacent Channel Licensees

Petitioners hope to minimize to the greatest extent possible interference to adjacent and co-channel licensees. To do so, Petitioners will use wide-band for the shortest amount of time possible, which is expected to be less than one year.

In addition, Exhibit 2, attached hereto, represents a list of adjacent channel licensees within proximity of Petitioners' operations. Petitioners are providing a copy of this Waiver Request to each impacted licensee. In this manner, each licensee will be alerted to Petitioners' continued wideband operation, the schedule for narrowbanding the relevant station, and contact information should there be an interference problem. Petitioners pledge to work with each impacted licensee to minimize interference. Should any adjacent channel licensee have a question about this request, they may contact Gregory Oshel of Shulman Rogers at goshel@shulmanrogers.com.

III. CONCLUSION

A grant of an extension of time to complete narrowbanding for Petitioners would not frustrate the Commission's Rules as the Petitioners expect to complete system cutover by June 2013 at the latest. Petitioners face unique difficulties, as they are not only transitioning to narrowband but also moving to a new digital DMR system that will be shared throughout the County among all public safety and much of their municipal public works users, creating enhanced interoperability. Furthermore, the Petitioners are well on their way toward completing the narrowband transition, having resolved site acquisition delays and secured funding. For these reasons, failure to extend the narrowbanding deadline for the impacted stations would be contrary to the public interest and would not serve any public purpose. There is no reasonable alternative for narrowbanding such stations, as the effort has been underway for some time, is continuing, and requires a significant amount of personnel.

WHEREFORE, Petitioners respectfully request that the FCC act expeditiously to grant Petitioners a waiver of the Commission's Rules, and extend the narrowbanding deadline for Petitioners' impacted stations by one year.

Respectfully submitted,

**BOONE COUNTY, IOWA,
BOONE COUNTY HOSPITAL
CITY OF BOONE, IOWA,
CITY OF MADRID, IOWA
CITY OF PILOT MOUND, IOWA
CITY OF ODGEN, IOWA**


By: Alan S. Tilles, Esquire

Its Attorney
Shulman Rogers Gandal Pordy & Ecker,
P.A.
12505 Park Potomac Ave., Sixth Floor
Potomac, Maryland 20854
(301) 231-0930

Date: September 10, 2012

Exhibit 1

Licensee

KGR269
KVN493
WNPG913
WPIC545
WPVR592
WQDL877
KDA665
KJN742
KNEY523
KNFL660
WQBQ832
KUW940

Call Sign

BOONE, COUNTY OF
BOONE, CITY OF
BOONE COUNTY HOSPITAL
CITY OF MADRID
CITY OF PILOT MOUND
CITY OF MADRID
CITY OF OGDEN

Exhibit 2

Licensee	Licensee Street Address	Licensee City, State, ZIP Code
Aclara Technologies LLC	30400 SOLON RD	SOLON, OH 44139
Adel, City of	PO Box 248	ADEL, IA 50003-0248
Allamakee, County of	110 ALLAMAKEE ST	WAUKON, IA 52172
ALPHA WIRELESS COMMUNICATIONS	1115 Cross St ATTN Paul Hoefs	NORTH MANKATO, MN 56003
Alpha Wireless Communications Co.	1115 Cross St	North Mankato, MN 56003
Alter Scrap Processing	2101 NW Burlington Ave	West Burlington, IA 52655
Ames, City of	515 CLARK AVE	AMES, IA 50010
Ankeny, City of	211 SW WALNUT	ANKENY, IA 50021
ATLANTIC MUNICIPAL UTILITIES	15 W 3rd St PO Box 517 ATTN Matt Klein	ATLANTIC, IA 50022
Benton County Emergency Management Agency	111 E 4th St. P.O. BOX 398	INTON, IA 52349
Carroll, County of	112 E 5th St	CARROLL, IA 51401
Clarke, County of	220 TOWNLINE RD	OSCEOLA, IA 50213
Coralville, City of	1505 5TH ST PO Box 5911	CORALVILLE, IA 52241
Cornerstone Family Church	3114 SW 61st St	Des Moines, IA 50321
Dallas Center, City of	1502 Walnut St PO Box 396	DALLAS CENTER, IA 50063
Dallas, County of	201 N 8TH ST PO Box 187	ADEL, IA 50003-0187
DAVENPORT, CITY OF	416 Harrison St ATTN Terry Nixon	DAVENPORT, IA 52801
Des Moines, City of	400 Robert D. Ray Dr.	DES MOINES, IA 50309
Electronics Specialties, Inc.	2103 Highway 169 North PO Box 248	ALGONA, IA 50511
Emergency Medical Service Response System Association	6023 NE 14TH ST	DES MOINES, IA 50313
GRAND VIEW COLLEGE	1200 Grandview Ave ATTN Scott Bock	DES MOINES, IA 50316
Greene County Medical Center	1000 W. LINCOLN WAY	JEFFERSON, IA 50129
Greene, County of	204 S CHESTNUT	JEFFERSON, IA 50129
GREENFIELD, CITY OF	202 S 1ST ST	GREENFIELD, IA 50849
GRIMES, CITY OF	101 N HARVEY	GRIMES, IA 50111
Gunderson Lutheran Medical Center	1910 SOUTH AVE	LA CROSSE, WI 54601
Hamilton County Public Hospital d/b/a Van Diest Medical Center	2350 HOSPITAL DRIVE	WEBSTER CITY, IA 50595
Hardin, County of	1116 14th Ave	ELDORA, IA 50627
Indianola, City of	PO Box 338110	INDIANOLA, IA 50125
Iowa Methodist Hospital	1200 PLEASANT ST.	DES MOINES, IA 50309
Iowa, State of	5912 SECOND AVE	DES MOINES, IA 50313
Iowa, State of	502 E 9th St	DES MOINES, IA 50319
Jackson, County of	102 S NIAGARA	MAQUOKETA, IA 52060
Jasper, County of	2300 LAW CENTER DR.	NEWTON, IA 50208
Jefferson, City of	220 N CHESTNUT	JEFFERSON, IA 50129
Jefferson, County of	901 N 8th St PO Box 817	FAIRFIELD, IA 52556-0817
Jewell, City of	838 Main St PO Box 486	Jewell, IA 50130
Kossuth, County of	121 W State Street	ALGONA, IA 50511