



## **I. INTRODUCTION**

The Lancaster County-Wide Communications (“the County”), pursuant to Section 1.925 of the Commission’s rules and *Public Notice*, DA 11-1189 (released July 13, 2011), hereby requests that the Commission waive Section 90.209(b)(5) of its rules to provide additional time for licensees participating in a new county-wide public safety communications network to operate on channels with a bandwidth of 12.5 kHz or less beginning January 1, 2013. List of the licensees and call signs subject to this request are contained in Appendices A and B. The County previously submitted a Petition for Waiver on January 5, 2012, for other licensees participating in the county-wide system. Lancaster County is currently deploying a new UHF T-Band, P-25 trunked radio system that will be fully compliant with the Commission’s narrowbanding rules. It will be operated and managed by Lancaster County-Wide Communications. In addition to Public Safety agencies, various townships and boroughs in the County plan to use the system. For the reasons discussed below, this new system will not be completed prior to January 1, 2013. Therefore, rather than require the narrowbanding of the call signs held by various townships and boroughs, the County requests a waiver on behalf of the townships and boroughs listed in Appendix A to extend the deadline by one year, to December 31, 2013, at which point the new system will be complete.

Lancaster County is currently implementing a new UHF T-band radio system. As part of the process, Lancaster County filed three applications with a waiver request

for the desired T-band spectrum in June of 2008. The licenses were approved on February 12, 2011 under docket number DA 11-245.<sup>1</sup>

The County has awarded a contract and is currently working with the vendor in reviewing design and system requirements for the new T-band radio system. Lancaster County has 31 fully developed sites for use in a new radio system, which translates to a minimal amount of site civil work. As a result, Lancaster County projects a much shorter implementation timeframe than a solution utilizing various “green field” sites, and fully expects to the new system to be completed by the fourth calendar year quarter (CY Q4) of 2013. An implementation schedule for the proposed P25 UHF T-band radio system can be found in Appendix C.

Lancaster County is fully committed, engaged and funded with regards to replacement of its aging public safety communications systems. The current call signs included in this request are seen as a valuable asset for the present communications needs of the townships and boroughs and, therefore, their preservation is seen as essential.

Section 1.925(b)(3) of the Commission’s rules allows it to grant a waiver if it is shown that either: “(i) the underlying purpose of the rules(s) would not be served or would be frustrated by application to the instant case, and that a grant of the requested waiver would be in the public interest;” or “(ii) in view of unique or unusual factual circumstances of the instant case, application of the rules(s) would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative.” The Commission’s *Public Notice*, DA 11-

---

<sup>1</sup> The applications were granted prior to the “freeze” imposed on T-Band applications as a result of recent legislation.

1189 (released July 13, 2011), provides guidance for satisfying the requirements of Section 1.925 in the context of a waiver of the narrowbanding deadline. For the reasons discussed herein, the County believes that a waiver is warranted pursuant to that guidance. As explained herein, granting of Lancaster County's request on behalf of the public safety licenses would serve policy objectives of the Commission, particularly the deployment of spectrum to meet public safety needs.

A requirement for the municipalities narrowband their existing systems would needlessly tie-up resources. It would be contrary to the public interest for these municipalities to expend the time and money necessary to narrowband legacy radio equipment, with that equipment due for decommissioning a year later. Allowing entities in Lancaster County to continue wideband operations during the implementation of the new radio system would provide the most effective means to provide efficient communications in the public interest at that time.

The County of Lancaster, Pennsylvania, and its member public safety agencies respectfully request that the Commission grant a waiver of the requirement to attain an efficiency standard of 12.5 kHz through the narrowbanding for the existing 18 VHF and UHF radio authorizations identified in Appendix B. The duration of this waiver is to the end date of the Extended Implementation Schedule, December 31, 2013, for the licenses associated with the new system. That will permit an orderly transfer of the traffic load from those VHF and UHF stations to the new UHF T-Band radio facilities. As the traffic is transferred, the radio authorizations for the underlying VHF, UHF channel-frequencies vacated will be cancelled through the appropriate FCC filings. Implementation project management of the new UHF T-

Band system will include tracking the prompt cancellation of vacated VHF and UHF channel-frequencies. The new interoperable P25 UHF T-Band radio system will have the capability of efficiently accommodating future expansion on the NPSPAC channels. The County of Lancaster is aware of the high hurdle applied to a waiver of the Commission's rules and the requirement to clearly articulate the detailed considerations in Section 1.925 of the Commission's rules.<sup>2</sup> We believe that this request complies with the submission details of the waiver process in that:

1. The underlying purpose of the narrowbanding rule would not be frustrated by waiver of this case. The waiver request does not extend the date for reduction of bandwidth to a lengthy or indefinite date, but asks to extend the requirement for a finite period of time to permit the establishment of a new interoperable countywide network. The basis for narrowband is to make additional spectrum available in the VHF and UHF band. This goal will be accomplished when the county public safety agencies move to the new system and completely cancel all UHF and VHF licenses that are no longer required.
2. The grant of the waiver will be in the public interest. The cost of narrowbanding is an expense that competes with the need for an improved, interoperable communications network at a time when the economy shortage of tax dollars limits the expansion of funding sources.
3. Unique and unusual factual circumstances indicate the application of the rule would be unduly burdensome to the County and contrary to the Public Good. The County had hoped that the new multi-agency interoperable system would be in operation

---

<sup>2</sup> 47 C.F.R. § 1.925.

prior to the January 1, 2013 narrowband transition date. As with many large, complex systems, the timing was delayed. To this is added the economic downturn, which has constrained state, county, and local governments from committing to large projects. The County has dedicated funding for the implementation and operation of the new system.

Grant of the waiver as described above for each of the 18 VHF and UHF radio authorizations (listed in Appendix B) would therefore be in the public interest.

Respectfully Submitted,

By 

Michael Weaver  
Director  
Lancaster County-Wide Communications  
28 South Charlotte Street  
Manheim, PA 17545

**1. Appendix A – Townships and Boroughs Applying for Extensions in Lancaster County**

Bart Township	Columbia Borough
Conoy Township	Elizabethtown Borough
Ephrata Township	Manheim Borough
Manheim Township	Millersville Borough
Mount Joy Borough	Mountville Borough
Quarryville Borough	West Donegal Township
West Hempfield Township	West Lampeter Township

2. APPENDIX B - RADIO AUTHORIZATIONS

Call Sign	Licensee FRN	Licensee Name	Licensee City	Licensee State
WQK333	0003238276	Bart Township	Quarryville	PA
KGA443	0006958243	Columbia, Borough of	Columbia	PA
WPNU444	0010667038	Columbia, Borough of	Columbia	PA
KZX402	0003272408	Columbia Water Company	Columbia	PA
KNBL853	0009496092	Conoy, Township of	Bainbridge	PA
WNEB858	0003235363	Elizabethtown, Borough of	Elizabethtown	PA
KXJ232	0003235363	Elizabethtown, Borough of	Elizabethtown	PA
WXK779	0003237740	Ephrata, Township of	Ephrata	PA
WNSB283	0003235066	Manheim, Borough of	Manheim	PA
KDL906	0003237203	Manheim, Township of	Lancaster	PA
KKL546	0006183487	Millersville, Borough of	Millersville	PA
KWF838	0003234168	Mount Joy, Borough of	Mount Joy	PA
WNXP264	0003239803	Mountville, Borough of	Mountville	PA
KD21584	0007655228	Quarryville, Borough of	Quarryville	PA
KCS306	0005858261	West Donegal, Township of	Elizabethtown	PA
KNFW802	0003236155	West Hempfield, Township of	Lancaster	PA
WNMY443	0003236155	West Hempfield, Township of	Lancaster	PA
KWN440	0003236130	West Lampeter, Township of	Lampeter	PA

### 3. APPENDIX C – PROPOSED RADIO SYSTEM IMPLEMENTATION SCHEDULE

<b>CY 2011</b>	
<b>2<sup>nd</sup> Quarter</b>	<b>Radio System RFP released</b>
<b>3<sup>rd</sup> Quarter</b>	<b>Vendor RFP responses due</b>
<b>4<sup>th</sup> Quarter</b>	<b>Vendor Best And Final Offers (BAFO) requested</b>
<b>CY 2012</b>	
<b>1<sup>st</sup> Quarter</b>	<b>BAFO responses due – BAFO evaluations completed</b>
<b>2<sup>nd</sup> Quarter</b>	<b>Contract awarded</b>
<b>3<sup>rd</sup> Quarter</b>	<b>System staging and factory acceptance</b>
<b>4<sup>th</sup> Quarter</b>	<b>System installation begins</b>
<b>CY 2013</b>	
<b>1<sup>st</sup> Quarter</b>	<b>System installation completed – subscriber install begins</b>
<b>2<sup>nd</sup> Quarter</b>	<b>Subscriber installs continue</b>
<b>3<sup>rd</sup> Quarter</b>	<b>Subscriber installs complete – System cutover begins</b>
<b>4<sup>th</sup> Quarter</b>	<b>System cutover completed – System acceptance</b>