

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

In the Matter of)
)
J. PAUL GETTY TRUST)
)
)
Request For Extension Of Mandatory)
Narrowbanding Deadline)
)
Implementation of Sections 309(j) and 337 of the) WT Docket No. 99-87
Communications Act of 1934 as Amended)

To: The Commission

PETITIONER'S REQUEST FOR EXTENSION

The J. Paul Getty Trust ("Petitioner"), 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, 2011,¹ 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).² In support thereof, the following is shown:

I. BACKGROUND

Petitioner is a cultural and philanthropic institution with many different programs, including the J. Paul Getty Museum. The J. Paul Getty Museum is comprised of two facilities, the world-renowned Getty Center and the Getty Villa. The Center and Villa are located in Los

¹ 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*").

² 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 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).

Angeles and have priceless collections of art and antiquities, from ancient to modern times. Petitioner has many licenses, but call sign WPPW442 is the only one included in this extension request.

The Getty Center and the Getty Villa share certain frequencies but have their own 800 MHz and UHF radio systems. Call sign WPPW442 is used, with low-power 2 Watt and 4 Watt radios, as part of the Getty Center and Getty Villa's radio-controlled irrigation system. The system uses a portable radio to send dual-tone multi-frequency (DTMF) tones to a mobile radio which opens and closes the water controller. The irrigation radio system is a subsystem of Petitioner's UHF radio systems.

The installation of the new system for WPPW442 has been delayed for several reasons. First, the narrowbanding of WPPW442 is not the only system which Petitioner is narrowbanding as part of the Commission's mandate. Petitioner expects to complete narrowbanding of these other systems by the deadline. However, because of the number of systems being narrowbanded, as well as Petitioner's work on its 800 MHz reband (and system expansion), this one system may not be completed timely. On the above basis, Petitioner requests a short waiver of the Commission's Rules to permit additional time for Petitioner to complete its narrowbanding effort.

II. PETITIONER'S 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 Petitioner's responses to those questions and issues.

A. Steps Already Taken To Complete The Narrowband Transition

As discussed earlier, Petitioner's request includes only call sign WPPW442. Petitioner has other systems subject to the narrowbanding mandate and Petitioner expects to complete their narrowbanding by December 21, 2012. Petitioner's Grounds Department is in the process of procuring a new irrigation system, which has been a multi-year process. Petitioner has already purchased new repeaters for the Getty Center and Villa.

B. System Size And Complexity

Petitioner's UHF system, consolidated as part of narrowbanding, will have eight base stations, 200 portable radios, and 25 mobile radios. In addition, the irrigation radio system requires a custom interface between the radio and irrigation controller.

C. Whether System Equipment Must Be Replaced Or Upgraded

Petitioner is replacing half of its mobile radios and will reprogram its portable radios.

D. Planned System Upgrades During Narrowbanding

The entire radio infrastructure at the Getty Center and Villa is being upgraded because none of the repeaters are capable of narrowband operation. In addition, the radios used in the irrigation system are part of a general irrigation system upgrade.

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

As a private organization, the J. Paul Getty Trust is not eligible for any grants and has been funding narrowbanding itself. Petitioner has been working on a very tight budget and has taken numerous steps to economize, including the due diligence period.

F. Narrowbanding Scheduling Dependency On Neighboring Licensees

Petitioner's narrowbanding schedule does not depend on any neighboring licensees.

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

Petitioner hopes to minimize to the greatest extent possible interference to adjacent and co-channel licensees. To do so, Petitioner will use wide-band on the irrigation system for the shortest amount of time possible.

III. CONCLUSION

A grant of an extension of time to complete narrowbanding for Petitioner would not frustrate the Commission's Rules as Petitioner expects to complete all rebanding, except for the irrigation system, by December 21, 2012 and Petitioner only seeks a sixty day extension for the irrigation system. Petitioner faces unique difficulties, as the Getty Center and the Villa are both located in areas with high fire danger. It is critical for Petitioner to keep its grounds adequately hydrated using the radio-controlled irrigation system. Moreover, Petitioner has a long history of supporting fire services during brush fires, allowing its grounds to be used for staging and water intake for water dropping helicopters.

The Getty Center has also been impacted by the widening of Interstate 405. The construction, combined with the most recent brush fire on September 14, 2012, has lead to

increased danger of erosion and mudslides. If Petitioner is not given a temporary narrowband extension, Petitioner would need to turn off its radio-controlled irrigation system, heightening the danger from brush fires, erosion, and mudslides. For these reasons, failure to extend the narrowbanding deadline would be contrary to the public interest and would not serve any public purpose. There is no reasonable alternative for narrowbanding, as the effort has been underway for some time, is continuing, and requires a significant amount of personnel.

WHEREFORE, Petitioner respectfully requests that the FCC act expeditiously to grant Petitioner a waiver of the Commission's Rules, and extend the narrowbanding deadline for Petitioner's impacted station by sixty days.

Respectfully submitted,

J. PAUL GETTY TRUST

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