



99-87

Federal Communications Commission
Washington, D.C. 20554

December 4, 2012

Jennifer A. Thullen
Senior Commodity Specialist
Radio and Camera Systems
FirstGroup America Purchasing
600 Vine Street, Suite 1400
Cincinnati, OH 45202

Re: Request for Amendment of Waiver (DA 12-1227)

Dear Ms. Thullen:

In a July 31, 2012 *Order*, the Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau (the Bureaus) granted First Student, Inc. (First Student), a division of FirstGroup America (FGA), a temporary waiver until January 1, 2014 of the Commission's VHF/UHF narrowbanding deadline,¹ which requires private land mobile radio licensees in the 150-174 MHz and 421-512 MHz bands to operate using channel bandwidth of no more than 12.5 kHz or equivalent efficiency by January 1, 2013.² FGA is North America's largest school bus transportation services company and transports 6,000,000 students to and from school every day. The temporary waiver was granted for 279 call signs licensed to First Student or held in the name of the school district or local communications provider. The Bureaus concluded that a waiver was warranted because First Student operates a large system and had diligently prepared for the transition to narrowbanding, and strict application of the narrowbanding rules could result in interruption of FGA's communications, which could put schoolchildren's safety at risk.³

On November 21, 2012, First Student requested a temporary waiver until January 1, 2014 of the Commission's VHF/UHF narrowbanding deadline for an additional 153 call signs licensed to First Student or held in the name of the school district or local communications provider.⁴ First Student states that 31 of the call signs were identified after the initial waiver request as requiring narrowbanding system modifications, and the remainder are stations that First Student originally planned to narrowband by January 1, 2012 but for which narrowbanding will not be accomplished before the deadline "[d]ue to priority shifts and weather-related delays associated with Hurricane Sandy."⁵ We conclude that a waiver is appropriate, and that the twelve-month waiver period requested by First Student is no more than is reasonably necessary to complete narrowbanding.

Accordingly, IT IS ORDERED pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.925(b)(3) of the Commission's Rules, 47 C.F.R.

¹ See First Student, Inc., *Order*, 27 FCC Rcd 8929 (WTB MD & PSHSB PLD 2012) (*Order*).

² 47 C.F.R. § 90.209(b).

³ See *Order*, 27 FCC Rcd at 8930 ¶ 4.

⁴ Letter dated November 19, 2012 from Jennifer A. Thullen to Federal Communications Commission (Amended Request). The Amended Request seeks temporary waivers for 154 call signs, but one of them, Station KNKM373, is a Part 22 paging station that is not subject to the narrowbanding deadline. See *id.* at Ex. B.

⁵ See *id.* at 1.

§ 1.925(b)(3), that the request for waiver filed by First Student, Inc. on November 21, 2012 IS GRANTED.

This action is taken under delegated authority pursuant to Sections 0.131, 0.331, 0.191, and 0.392 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331, 0.191, 0.392.

FEDERAL COMMUNICATIONS COMMISSION



Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau



Zenji Nakazawa
Deputy Chief, Policy and Licensing Division
Public Safety and Homeland Security Bureau