

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	WT Docket No. 02-55
)	
Improving Public Safety Communications in the 800 MHz Band)	City of Fort Worth WNXE704, WPPD857, KNGD801
)	

To: Public Safety and Homeland Security Bureau, Federal Communications Commission

**REQUEST FOR INTERIM WAIVER
OF THE
JUNE 26, 2008 DEADLINE FOR COMPLETION OF 800 MHZ REBANDING**

Pursuant to Section 1.925 (47 C.F.R. § 1.925) of the rules of the Federal Communications Commission (Commission) and the Commission's *Public Notice*,¹ the above-referenced licensee ("Licensee") requests an interim waiver of the Commission's requirement for the Licensee to complete its 800 MHz rebanding by June 26, 2008.² The Licensee recognizes that the Commission has noted: "Requests for extension will be subject to a high level of scrutiny. Licensees will be expected to demonstrate that they have worked diligently and in good faith to complete rebanding expeditiously, and that the amount of additional time requested is no more than is reasonably necessary to complete the rebanding process."³

Specifically, the Licensee requests until June 1, 2008 to complete negotiations and execute its Frequency Reconfiguration Agreement and submit a request for final waiver of the June 26, 2008 deadline for completion of 800 MHz rebanding.

¹ Federal Communications Commission Provides Guidance for Submission of Requests for Waiver of June 26, 2008 Deadline for Completion of 800 MHz Rebanding, *Public Notice*, FCC 08-23 (rel. Jan. 17, 2008).

² See Improving Public Safety Communications in the 800 MHz Band, *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order*, 19 FCC Rcd 14969 (2004), *Third Memorandum Opinion and Order*, 22 FCC Rcd 17209, 17224 ¶ 48 (2007).

³ See FCC Announces Supplemental Procedures And Provides Guidance For Completion Of 800 MHz Rebanding, *Public Notice*, 22 FCC Rcd 17227, 17232 (2007).

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DL 8910427864**

The public interest would be served by granting the requested interim waiver because it would allow Licensee to complete the negotiation necessary to reband its 800 MHz system in a reasonable, prudent and timely manner consistent with the goals of the 800 MHz rebanding program. In support of this Request for Interim Waiver the Licensee provides the attached Interim Waiver Request Information Form and the following explanation of the reason(s) for not having completed FRA negotiations at this point, which is consistent with the assertion that a grant of the waiver would serve the public interest.

As detailed in Licensee's March 10, 2008 filing, entitled Request for Waiver of Supplemental Procedures for Completion of 800 MHz Rebanding, a copy of which is attached hereto, Licensee timely submitted its cost estimate to Sprint Nextel Corporation ("Sprint") on November 15, 2007. Through the diligent and good faith negotiations that followed, Licensee and Sprint resolved several disputed issues, including the methodology for proceeding to reconfigure Licensee's infrastructure. The compromise on infrastructure reconfiguration requires Licensee and its vendor to conduct further planning in order to develop a new quote for that portion of the statement of work before proceeding with further negotiations. As a result, Licensee anticipates that a frequency reconfiguration agreement will be negotiated and a request for permanent waiver filed by June 1, 2008.

Finally, the licensee seeks confidential treatment of the Interim Waiver Request Information Form pursuant to Section 0.459 of the FCC's Rules because the information contained therein is highly sensitive regarding the operations of a public safety organization's communications system. Furthermore,

