

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

**In the Matter of** ) **WT Docket No. 02-55**  
 )  
 **Improving Public Safety** ) **Licensee Name: Jefferson**  
 **County/City of Birmingham, AL**  
 **Communications in the** ) **Call Sign WQEA798 – Jefferson County**  
 **800 MHz Band** ) **WPZE311 – City of Birmingham**

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*,<sup>1</sup> 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.<sup>2</sup> 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.”<sup>3</sup>

Specifically, the Licensee requests until, June 26, 2009 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.

<sup>1</sup> 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).

<sup>2</sup> 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).

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

**Request for Interim Waiver of the June 26, 2008  
Deadline for Completion of 800 MHz Rebanding  
Licensee Name: Jefferson County/COB, AL  
Call Sign \_WQEA798 & WPZE311 \_\_\_\_\_  
DL \_\_\_\_\_**

OMB Control Number 3060-1114  
Expires September 30, 2008

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.

Check if additional sheets are attached.

\_\_\_\_\_

\_\_\_\_\_ We continued to work with Nextel and the TA's office and we just received the Notice of Commencement of Negotiation from the TA's office on April 10, 2008. We now have 30 days to complete FRA negotiations with Nextel. Seeing that we do not have a negotiated and completed FRA in place, it is not possible for re-banding to be completed by June 2008. We request an extension until June of 2009 to complete our re-banding efforts.

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, the information contained in the form is not otherwise publicly available. The Licensee consents to the disclosure of the form to the 800 MHz Transition Administrator ("TA") and Sprint Nextel and requests that they treat the form as confidential.

