

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

In the Matter of)
)
County of Los Angeles, California Request for) DA 22-1329
Waiver to Operate a Base Station at Tejon Peak on) File Nos. 0009466946
Television Channels 14 and 16 Band Frequencies) and 0009464743

To: Chief, Public Safety and Homeland Security Bureau

**COMMENTS
OF THE
ENTERPRISE WIRELESS ALLIANCE**

The Enterprise Wireless Alliance (“EWA”), in accordance with Section 1.415 of the Federal Communications Commission (“FCC”) rules, respectfully submits its comments in response to the County of Los Angeles, California (“County”) request for waiver of Rule Sections 90.305(a) and 90.307(d) (“Waiver Request”).¹ EWA supports the Waiver Request and urges the FCC to grant the requested relief promptly.

The Waiver Request notes the scope and complexity of Los Angeles County public safety communications requirements and describes the history of the County’s use of frequencies in the 470-512 MHz band (“T-Band”) to address those needs. For example, TV Channel 16 (482-488 MHz) is allocated exclusively for public safety use in the Los Angeles market² and is used extensively by the County’s Sheriff’s Department and other agencies.³ The County also uses frequencies in the Channel 14 band (470-476 MHz) in its narrowband system.⁴

¹ *Public Safety and Homeland Security Bureau Seeks Comment on Request for Waiver filed by the County of Los Angeles, California to Operate a Base Station at Tejon Peak on its Television Channels 14 and 16 Band Frequencies*, Public Notice, DA 22-1329 (rel. Dec. 15, 2022) (“Public Notice”).

² See 47 C.F.R. 90.311.

³ Waiver Request at 5.

⁴ *Id.* at 5-6.

The Waiver Request explains that the Los Angeles Regional Interoperable Communications System operated by the LA-RICS Authority formed in 2009 is developing an interoperable, digital-trunked system that will combine multiple public safety operations into an integrated wireless voice and data system utilizing 700 MHz “D Block” broadband frequencies, 700 MHz narrowband frequencies, and T-Band frequencies.⁵ The Tejon Peak site will be an essential part of that system. The County already utilizes this location as a receive-only site to enhance talk-in coverage. However, recent and anticipated population growth in that area dictates a need for transmit as well as receive capability at Tejon Peak, even though it is 18.4 kilometers (11.1 miles) beyond the 80 kilometer (50 mile)-boundary of the Los Angeles T-Band market area. In particular, this site will provide coverage for the new “Centennial at Tejon Peak” project slated for construction of almost 20,000 residential units and more than 10 million square feet of commercial space.⁶ The County seeks authority to deploy frequencies from T-Band channels 14 and 16, spectrum already in use by the County, at this additional site.

Population growth in the nation’s T-Band market areas, including Los Angeles, does not necessarily confine itself to the prescribed T-Band boundaries. When it can be demonstrated that the public interest requires coverage outside those boundaries, in this case because of the need for reliable public safety communications in the area, and no other interests are adversely affected, waiver relief is appropriate.

The County has made such a showing. APCO International has confirmed that the frequencies requested in these applications, including the frequencies requested at Tejon Peak, are available for licensing. The County has also included documentation supporting its request for a waiver of Rule Section 90.307(d) vis-à-vis protected adjacent TV stations KTLN-CD and

⁵ *Id.* at 3-4.

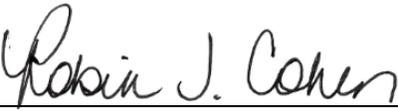
⁶ *Id.* at 7.

KSBB-CD. As noted in the Public Notice, The County provided engineering analyses demonstrating that its 64 dBμ interfering contour does not overlap either TV stations' 64 dBμ Grade B service contour, the "generally accepted protection criterion for a contour analysis between a PLMR station and an adjacent channel TV station."⁷

For these reasons, EWA recommends prompt approval of the County's Waiver Request.

Respectfully submitted,

ENTERPRISE WIRELESS ALLIANCE

By: 

Robin J. Cohen
President/CEO
13221 Woodland Park Road
Suite 410
Herndon, Virginia 20171
(703) 528-5115

Counsel:

Elizabeth R. Sachs
Lukas, LaFuria, Lantor & Sachs, LLP
8350 Broad St., Ste. 1450
Tysons, VA 22102
(703) 584-8678

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⁷ Public Notice at 2.