

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

In the Matter of	)	
	)	
Delta Air Lines, Inc.	)	WT Docket No. 99-87
Request for Waiver of	)	
January 1, 2013 VHF-UHF	)	
Narrowbanding Deadline	)	

To: Chief, Wireless Telecommunications Bureau

**COMMENTS  
OF THE  
ENTERPRISE WIRELESS ALLIANCE**

The Enterprise Wireless Alliance (“EWA” or “Alliance”), in accordance with Section 1.45 of the Federal Communications Commission (“FCC” or “Commission”) rules, respectfully submits its comments in response to the waiver request (“Waiver Request”) filed by Delta Air Lines, Inc. (“Delta”) seeking a limited extension of the FCC’s VHF-UHF narrowbanding deadline.<sup>1</sup> The Public Notice asks for comments regarding whether Delta has satisfied the guidelines for narrowband deadline waiver requests announced by the Commission.<sup>2</sup> EWA submits that Delta has addressed the NB Waiver Guidelines satisfactorily and has provided ample information to support grant of the requested relief.

EWA is a national trade association representing business enterprises, wireless sales and service providers, hardware and software system vendors, and technology manufacturers. The Alliance also is a Federal Communications Commission (“FCC”)-certified frequency advisory committee (“FAC”) that facilitates in excess of 10,000 FCC licensing application preparation,

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<sup>1</sup> *Wireless Telecommunications Bureau Seeks Comment on Delta Air Lines, Inc. Request for Waiver of the January 1, 2013 VHF-UHF Narrowbanding Deadline*, Public Notice, WT Docket No. 99-87, DA 12-256 (rel. Feb. 23, 2012) (“Public Notice”).

<sup>2</sup> See Wireless Telecommunications Bureau, Public Safety and Homeland Security Bureau, and Office of Engineering and Technology Provide Reminders of the 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*, 26 FCC Rcd 9647 (WTB/PSHSB/OET 2011) (“NB Waiver Guidelines”).

frequency selection, and certification transactions annually. As a FAC and on behalf of its business, industrial and commercial members that operate in the VHF-UHF bands that are subject to the narrowbanding requirement, the Alliance has a direct interest in the matters herein.

EWA has worked closely with the Commission and with members of the land mobile radio (“LMR”) community in assisting the industry as it prepares to meet the upcoming January 1, 2013 narrowbanding deadline. The Alliance has conducted numerous conference sessions, webinars, and licensee-specific meetings and calls regarding this very challenging obligation. In all cases, EWA has encouraged its members and others in the LMR industry to prepare for narrowbanding well in advance of the deadline and not to assume that the Commission will grant waivers to those who have been dilatory in their planning and/or implementation.

However, EWA also has recognized that there will be licensees who, despite their best efforts, are not able to fulfill the narrowbanding requirement precisely in accordance with the FCC’s schedule. The FCC too has acknowledged that waiver relief might be appropriate for licensees who are able to demonstrate that: (i) they have worked diligently and in good faith to narrowband their systems expeditiously; (ii) their specific circumstances warrant a temporary extension of the deadline; and (iii) the amount of time for which a waiver is requested is no more than is reasonably necessary to complete the rebanding process.<sup>3</sup> Delta has shown in its Waiver Request that it satisfies each of this three-pronged analysis.

The Waiver Request details Delta’s acquisition of large amounts of equipment to replace equipment that is not capable of being narrowbanded. It states that the company expects to complete narrowbanding at 24 of its largest locations prior to the January 1, 2013 deadline, thereby achieving 60% compliance, but needs relief for its other facilities scattered throughout the country. The Waiver Request explains that the scale and geographic scope of Delta’s

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<sup>3</sup> *Id.* at 3.

facilities make narrowbanding its systems an unusually complex and lengthy process. It asks for a twelve-month extension, which, while not insignificant, is understandable in light of the number of stations that must be touched and the difficulty of accessing them due to airport security measures. In addition to these more general explanations, Delta has provided specific information in response to each of the eight factors listed in the NB Waiver Guidelines, information that further supports FCC grant of the waiver relief requested.

For the reasons described herein, EWA recommends that the FCC grant Delta's Waiver Request for a limited extension of the January 1, 2013 narrowbanding deadline.

ENTERPRISE WIRELESS ALLIANCE

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March 15, 2012

CERTIFICATE OF SERVICE

I, Linda J. Evans, with the law firm of Lukas, Nace Gutierrez and Sachs, LLP, hereby certify that I have, on this 15th day of March, 2012 caused to be forwarded via electronic mail, a copy of the foregoing Comments to the following:

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/s/ Linda J. Evans