

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of )
COMMONWEALTH OF VIRGINIA )
Licensee of 700 MHz State License WPTZ775 )

ORDER

Adopted: February 27, 2017

Released: February 27, 2017

By the Acting Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau:

1. In this Order, the Division, on our own motion, clarifies one aspect of the December 30, 2016, Order, DA 16-1460 in the above-captioned proceeding. The Order authorized the Commonwealth of Virginia (Virginia) to relocate its existing 700 MHz narrowband operations to state-licensed 700 MHz narrowband channels and granted a conditional waiver of the requirement to coordinate operations on these channels with the Commonwealth of Kentucky (Kentucky).

2. To enable Virginia to proceed with relocation without delay, the Order allowed Virginia to select 48 of the 96 state narrowband channels for use on the Virginia-Kentucky border while preserving the remaining 48 channels for future use by Kentucky, and to exceed the 40 dBuV/m field strength limit at the border with Kentucky on the state channels it selects.

3. On review of the Order, we conclude that it was substantively adequate but insufficiently specific concerning allowable field strength limits at the Kentucky-Virginia border, and thus could cause uncertainty on the part of licensees with a need to implement it. Therefore, we clarify the Order by specifying the field strength limits applicable to the state license channels used near the Kentucky-Virginia border as follows:

Virginia may select and operate on 48 narrowband state license channels along the common border, provided the predicted F:(50,50) field strength contour of those channels does not exceed 14 dBuV/m 30 miles into Kentucky.

Any duly authorized licensee in Kentucky may operate on any or all of the remaining 48 state license channels along the common border, provided the predicted F:(50,50) field strength contour of facilities on those channels does not exceed 14 dBuV/m 30 miles into Virginia.

In areas more than 30 miles distant from the common border, Virginia and duly authorized licensees in Kentucky may operate on their respective channels, provided, in both cases, that the F:(50,50) contour does not exceed 14 dBuV/m in any portion of the other state.

1 Commonwealth of Virginia, Order, DA 16-1460 (Dec. 30, 2016) (Order).

2 Order at para. 6

3 Id. at para. 7.

4 Because Kentucky has canceled its state license, Kentucky's state channels have reverted to general use for site-based licensing subject to regional planning by the Region 17 Regional Planning Committee, and will become available for licensing when the Region 17 plan is modified and approved to incorporate these channels. Id.

4. Accordingly, IT IS ORDERED, pursuant to the authority contained in sections 1, 2, 4(i), 303(r), 332 and 337 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 303(r), 332 and 337, that this *Order* IS ADOPTED.

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

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm  
Acting Chief, Policy and Licensing Division  
Public Safety and Homeland Security Bureau