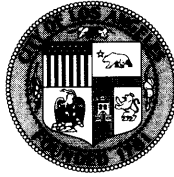


CITY OF LOS ANGELES

CALIFORNIA

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CLIFF ENG

December 5, 2001

RECEIVED

JAN 17 2002

FCC MAIL ROOM

Mr. Charles Iseman, Deputy Chief
Federal Communications Commission
Office of Engineering and Technology
Electromagnetic Compatibility Division
445 12th Street, South West
Washington, District of Columbia 20554

EXPERIMENTAL RADIO STATION WB2XEN, FCC FILE NO. 0247-EX-PL-1999

As directed in your letter of March 14, 2001(copy attached for your reference), The City of Los Angeles is surrendering the license for experimental radio station WB2XEN. Please find enclosed the license and a report on the results of operations conducted under the experimental license.

If you have any questions, please contact Ken Chan, Sr. Communications Engineer, at
(213) 847-2392.

A handwritten signature in cursive script, reading "Tun Aung".

Tun Aung, Director of Communications
Communications Services Division
Public Safety Bureau
Information Technology Agency
City of Los Angeles

TA:KC:ml

Attachments



REPORT OF LOS ANGELES POLICE DEPARTMENT AIRBORNE VIDEO OPERATIONS IN THE 2402-2448 MHZ BAND UNDER EXPERIMENTAL STATION LICENSE WB2XEN

Introduction

During the months of July and August 2000, The City of Los Angeles, in coordination with other public safety agencies, the local television stations, and the American Radio Relay League, Incorporated, conducted various tests with existing airborne microwave video installations. The tests were carefully developed at a series of meetings held in preparation for the Democratic National Convention (DNC) 2000, which was hosted by the City of Los Angeles from August 11 through August 18, 2000. The primary goal of these meetings was to reach a mutual agreement on the way that interference-free airborne video would be provided to all the interested parties and to identify the logistics for achieving this goal.

Background

The Los Angeles Police Department (LAPD) considers the airborne video capability to be an indispensable tool for carrying out tactical and emergency response operations. In light of the magnitude of an event such as the DNC, the LAPD made significant efforts to improve the availability and reliability of the airborne video capability to support DNC police operations. In addition to acquiring three new helicopters equipped with airborne video equipment compatible with the LAPD's existing airborne video system and capable of operating in the 2402-2448 MHz band, the LAPD obtained the resources required to carefully plan and assertively coordinate the use of airborne video frequencies for this event.

Historically, the Los Angeles Police Department has experienced significant problems with interference from other Part 90 licensed users of the shared 2450-2483.5 MHz band, namely local television stations. Similarly, the local television stations have reported suffering from interference caused by LAPD airborne video transmissions. Mitigation of interference problems became an important discussion item at the July/August meetings. The LAPD addressed the interference problem in several ways. First, every LAPD helicopter was equipped with a highly directional antenna, which radiated a narrow and highly directional signal beam and therefore reduced the potential to cause interference to an absolute minimum. Second, careful planning and coordination of the use of frequencies in and around the vicinity of the DNC venue was made in advance. Third, a fly zone over the DNC venue exclusively for LAPD spacecraft was defined. And last, a contingency plan for providing airborne video signals was developed. This contingency plan was to utilize the 2402-2448 MHz band for airborne video transmission in the event that the 2450-2483.5 MHz band was not usable for whatever reason. The City of Los Angeles was granted an FCC license with experimental authority in the 2402-2448 MHz band on December 1, 1999.

Report

One week prior to the DNC, the local television stations, the LAPD, and other public safety agencies conducted a battery of tests. The tests consisted of making airborne video transmissions from each of the various airborne video systems operated by each agency. The airborne video systems were operated in the manner they would most likely be operated during the DNC. Each agency monitored its own system for interference and acceptable operation. The American Radio Relay League, Incorporated was informed of these tests and invited to participate, in the very least, by monitoring their own communications systems.

The LAPD airborne video system was successfully tested using two helicopters making airborne video transmissions in accordance to the parameters prescribed in the experimental license. Video transmissions were made throughout the entire City of Los Angeles. At no time during the test was interference to the video transmissions experienced. None of the agencies participating in the test reported cases of interference caused by the LAPD airborne video system.

documents in a civil context. Such pleadings that are not served will be dismissed without consideration as a defective pleading and treated as a violation of the *ex parte* rules unless the Commission determines that the matter should be entertained by making it part of the record under § 1.1212(d) and the parties are so informed.

2 FR 1555, Apr. 3, 1897, as amended at 64 FR 63251, Nov. 19, 1999, 64 FR 68948, Dec. 9, 1999.

Non-Restricted Proceedings

1.1206 Permit-but-disclose proceedings.

(a) Unless otherwise provided by the Commission or the staff pursuant to § 1.1200(a), until the proceeding is no longer subject to administrative reconsideration or review or to judicial review, *ex parte* presentations (other than *ex parte* presentations exempt under § 1.1206(a)) to or from Commission decision-making personnel are permissible in the following proceedings, which are referred to as permit-but-disclose proceedings, provided that *ex parte* presentations to Commission decision-making personnel are disclosed pursuant to paragraph (b) of this section:

NOTE 1 TO PARAGRAPH (a): INTRODUCTORY TEXT. In the case of petitions for declaratory ruling that seek Commission preemption of state or local regulatory authority, the petitioner must serve the original petition on any state or local government, the actions of which are specifically cited as a basis for requesting preemption. Service should be made on those bodies within the state or local governments that are legally authorized to accept service of legal documents in a civil context. Such pleadings that are not served will be dismissed without consideration as a defective pleading and treated as a violation of the *ex parte* rules unless the Commission determines that the matter should be entertained by making it part of the record under § 1.1212(d) of this section and the parties are so informed.

(1) An informal rulemaking proceeding conducted under section 553 of the Administrative Procedure Act other than a proceeding for the allotment of a broadcast channel, upon release of a Notice of Proposed Rulemaking (see also § 1.1206(b)(3));

(2) A proceeding involving a rule change, policy statement or interpretive rule adopted without a Notice of Proposed Rule Making upon release of

the order adopting the rule change, policy statement or interpretive rule;

(3) A declaratory ruling proceeding;

(4) A tariff proceeding which has been set for investigation under section 204 or 205 of the Communications Act (including directly associated waiver requests or requests for special permission) (see also § 1.1204(b)(1));

(5) Unless designated for hearing, a proceeding under section 214(a) of the Communications Act that does not also involve applications under Title III of the Communications Act (see also § 1.1208);

(6) Unless designated for hearing, a proceeding involving an application for a Cable Landing Act license that does not also involve applications under Title III of the Communications Act (see also § 1.1208);

(7) A proceeding involving a request for information filed pursuant to the Freedom of Information Act;

NOTE 2 TO PARAGRAPH (a): Where the requested information is the subject of a request for confidentiality, the person filing the request for confidentiality shall be deemed the party.

(8) A proceeding before a Joint Board or a proceeding before the Commission involving a recommendation from a Joint Board;

(9) A proceeding conducted pursuant to section 224(b) of the Communications Act for prescription of common carrier depreciation rates upon release of a public notice of specific proposed depreciation rates (see also § 1.1204(b)(4));

(10) A proceeding to prescribe a rate of return for common carriers under section 205 of the Communications Act; and

(11) A cable rate complaint proceeding pursuant to section 623(c) of the Communications Act where the complaint is filed on FCC Form 329.

(12) A modification request filed pursuant to § 64.1001 of this chapter;

(13) Applications by Bell Operating Companies to provide in-region, interLATA services pursuant to § 271(d) of the Communications Act; and

(14) Petitions for Commission preemption of authority to review interconnection agreements under § 252(e)(5)

of the Communications Act and petitions for preemption under § 253 of the Communications Act.

NOTE 3 TO PARAGRAPH (a): In a permit-but-disclose proceeding involving only one "party," as defined in § 1.1206(d) of this section, the party and the Commission may freely make presentations to each other and need not comply with the disclosure requirements of paragraph (b) of this section.

(b) The following disclosure requirements apply to *ex parte* presentations in permit but disclose proceedings:

(1) **Written presentations.** A person who makes a written *ex parte* presentation subject to this section shall, no later than the next business day after the presentation, submit two copies of the presentation to the Commission's secretary under separate cover for inclusion in the public record. The presentation (and cover letter) shall clearly identify the proceeding to which it relates, including the docket number, if any, shall indicate that two copies have been submitted to the Secretary, and must be labeled as an *ex parte* presentation. If the presentation relates to more than one proceeding, two copies shall be filed for each proceeding. Alternatively, in rulemaking proceedings governed by § 1.49(f), the person making the presentation may file one copy of the presentation electronically; no additional paper copies need to be filed.

(2) **Oral presentations.** A person who makes an oral *ex parte* presentation subject to this section that presents data or arguments not already reflected in that person's written comments, memoranda or other filings in that proceeding shall, no later than the next business day after the presentation, submit to the Commission's Secretary, an original and one copy of a memorandum which summarizes the new data or arguments. Except in proceedings subject to § 1.49(f) in which pleadings are filed electronically, a copy of the memorandum must also be submitted to the Commissioners or Commission employees involved in the oral presentation. In proceedings governed by § 1.49(f), the person making the presentation may, alternatively, electronically file one copy of the memorandum, which will be available to Commissioners and Commission em-

ployees involved in the presentation through the Commission's electronic comment filing system. Memoranda must contain a summary of the substance of the *ex parte* presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. The memorandum (and cover letter) shall clearly identify the proceeding to which it relates, including the docket number, if any, shall indicate that an original and one copy have been submitted to the Secretary or that one copy has been filed electronically, and must be labeled as an *ex parte* presentation. If the presentation relates to more than one proceeding, two copies of the memorandum (or an original and one copy) shall be filed for each proceeding.

NOTE 1 TO PARAGRAPH (b): Where, for example, presentations occur in the form of discussion at a widely attended meeting, preparation of a memorandum as specified in the rule might be cumbersome. Under these circumstances, the rule may be satisfied by submitting a transcript or tape recording of the discussion as an alternative to a memorandum.

(3) Notwithstanding paragraphs (b)(1) and (b)(2) of this section, in permit-but-disclose proceedings presentations made by members of Congress or their staffs or by an agency or branch of the Federal Government or its staff shall be treated as *ex parte* presentations only if the presentations are of substantial significance and clearly intended to affect the ultimate decision. The Commission staff shall prepare a written summary of any such oral presentations and place them in the record in accordance with paragraph (b)(1) of this section and place any such written presentations in the record in accordance with paragraph (b)(2) of this section.

(4) **Notice of *ex parte* presentations.** The Commission's Secretary or, in the case of non-docketed proceedings, the relevant Bureau or Office shall place in the public file or record of the proceeding written *ex parte* presentations and memoranda reflecting oral *ex parte* presentations. The Secretary shall issue a public notice listing any written *ex parte* presentations or written

summaries of oral *ex parte* presentations received by his or her office relating to any permit-but-disclose proceeding. Such public notices should generally be released at least twice per week.

NOTE 3 TO PARAGRAPH (b): Interested persons should be aware that some *ex parte* filings, for example, those not filed in accordance with the requirements of this paragraph (b), might not be placed on the referenced public notice. All *ex parte* presentations and memoranda filed under this section will be available for public inspection in the public file or record of the proceeding, and parties wishing to ensure awareness of all filings should review the public file or record.

NOTE 3 TO PARAGRAPH (b): As a matter of convenience, the Secretary may also list on the referenced public notices materials, even if not *ex parte* presentations, that are filed after the close of the reply comment period or, if the matter is on reconsideration, the reconsideration reply comment period.

[62 FR 15858, Apr. 3, 1997, as amended at 63 FR 21128, May 1, 1998; 64 FR 68948, Dec. 9, 1999]

RESTRICTED PROCEEDINGS

§ 1.1209 Restricted proceedings.

Unless otherwise provided by the Commission or its staff pursuant to § 1.1209(a) of this section, *ex parte* presentations (other than *ex parte* presentations exempt under § 1.1204(a) of this section) to or from Commission decision-making personnel are prohibited in all proceedings not listed as exempt in § 1.1204(b) or permit-but-disclose in § 1.1206(a) of this section until the proceeding is no longer subject to administrative reconsideration or review or judicial review. Proceedings in which *ex parte* presentations are prohibited, referred to as "restricted" proceedings, include, but are not limited to, all proceedings that have been designated for hearing, proceedings involving amendments to the broadcast table of allotments, applications for authority under Title III of the Communications Act, and all waiver proceedings (except for those directly associated with tariff filings).

NOTE 1 TO § 1.1209: In a restricted proceeding involving only one "party," as defined in § 1.1202(d), the party and the Commission may freely make presentations to each other because there is no other party to be served or with a right to have an opportunity to be present. See § 1.1202(b). Therefore, to determine whether presentations are permissible in a restricted proceeding without service or notice and an opportunity for other parties to be present, the definition of a "party" should be consulted.

Examples: After the filing of an uncontested application or waiver request, the applicant or other filer would be the sole party to the proceeding. The filer would have no other party to serve with or give notice of any presentations to the Commission, and such presentations would therefore not be "*ex parte* presentations" as defined by § 1.1202(b) and would not be prohibited. On the other hand, in the example given, because the filer is a party, a third person who wished to make a presentation to the Commission concerning the application or waiver request would have to serve or notice the filer. Further, once the proceeding involved additional "parties" as defined by § 1.1202(d) (e.g., an opponent of the filer who served the opposition on the filer), the filer and other parties would have to serve or notice all other parties.

NOTE 2 TO § 1.1209: Consistent with § 1.1209(a), the Commission or its staff may determine that a restricted proceeding not designated for hearing involves primarily issues of broadly applicable policy rather than the rights and responsibilities of specific parties and specify that the proceeding will be conducted in accordance with the provisions of § 1.1206 governing permit-but-disclose proceedings.

[62 FR 15857, Apr. 3, 1997, as amended at 64 FR 68948, Dec. 9, 1999]

PROHIBITION ON SOLICITATION OF PRESENTATIONS

§ 1.1210 Prohibition on solicitation of presentations.

No person shall solicit or encourage others to make any improper presentation under the provisions of this section.

[64 FR 68948, Dec. 9, 1999]

PROCEDURES FOR HANDLING OF PROHIBITED EX PARTE PRESENTATIONS

§ 1.1212 Procedures for handling of prohibited *ex parte* presentations.

(a) Commission personnel who believe that an oral presentation which is being made to them or is about to be made to them is prohibited shall promptly advise the person initiating the presentation that it is prohibited and shall terminate the discussion.

Federal Communications Commission

(b) Commission personnel who receive oral *ex parte* presentations which they believe are prohibited shall forward to the Office of General Counsel a statement containing the following information:

- (1) The name of the proceeding;
- (2) The name and address of the person making the presentation and that person's relationship (if any) to the parties to the proceeding;
- (3) The date and time of the presentation, its duration, and the circumstances under which it was made;
- (4) A full summary of the substance of the presentation;
- (5) Whether the person making the presentation persisted in doing so after being advised that the presentation was prohibited; and
- (6) The date and time that the statement was prepared.

(c) Commission personnel who receive written *ex parte* presentations which they believe are prohibited shall forward them to the Office of General Counsel. If the circumstances in which the presentation was made are not apparent from the presentation itself, a statement describing those circumstances shall be submitted to the Office of General Counsel with the presentation.

(d) Prohibited written *ex parte* presentations and all documentation relating to prohibited written and oral *ex parte* presentations shall be placed in a public file which shall be associated with but not made part of the record of the proceeding to which the presentations pertain. Such materials may be considered in determining the merits of a restricted proceeding only if they are made part of the record and the parties are so informed.

(e) If the General Counsel determines that an *ex parte* presentation or presentation during the Sunshine period is prohibited by this subpart, he or she shall notify the parties to the proceeding that a prohibited presentation has occurred and shall serve on the parties copies of the presentation (if written) and any statements describing the circumstances of the presentation. Service by the General Counsel shall not be deemed to cure any violation of the rules against prohibited *ex parte* presentations.

(f) If the General Counsel determines that service on the parties would unduly burdensome because the parties to the proceeding are numerous, he or she may issue a public notice in lieu of service. The public notice shall state that a prohibited presentation has been made and may also state that the presentation and related materials are available for public inspection.

(g) The General Counsel shall forward a copy of any statement describing the circumstances in which the prohibited *ex parte* presentation was made to the person who made the presentation. Within ten days thereafter, the person who made the presentation may file with the General Counsel a sworn declaration regarding the presentation and the circumstances in which it was made. The General Counsel may serve copies of the sworn declaration on the parties to the proceeding.

(h) Where a restricted proceeding precipitates a substantial amount of correspondence from the general public, the procedures in paragraphs (c) through (g) of this section will not be followed with respect to such correspondence. The correspondence will be placed in a public file and be made available for public inspection.

[62 FR 15857, Apr. 3, 1997]

§ 1.1214 Disclosure of information concerning violations of this subpart.

Any party to a proceeding or any Commission employee who has substantial reason to believe that any violation of this subpart has been solicited, attempted, or committed shall promptly advise the Office of General Counsel in writing of all the facts and circumstances which are known to him or her.

[62 FR 15858, Apr. 3, 1997]

SANCTIONS

§ 1.1216 Sanctions.

(a) Parties. Upon notice and hearing, any party to a proceeding who directly or indirectly violates or causes the violation of any provision of this subpart, or who fails to report the facts and circumstances concerning any such violation as required by this subpart...

United States of America
FEDERAL COMMUNICATIONS COMMISSION
EXPERIMENTAL
RADIO STATION CONSTRUCTION PERMIT
AND LICENSE

EXPERIMENTAL
(Nature of Service)

WB2XEN
(Call Sign)

XD MO
(Class of Station)

0247-EX-PL-1999
(File Number)

NAME Los Angeles, City of

Subject to the provisions of the Communications Act of 1934, subsequent acts, and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions and requirements set forth in this license, the licensee hereof is hereby authorized to use and operate the radio transmitting facilities hereinafter described for radio communications in accordance with the program of experimentation described by the licensee in its application for license.

Operation: In accordance with Sec. 5.202(h) of the Commission's Rules

Station Locations

(1) MOBILE: City of Los Angeles and Vicinity, centered around NL 34-08-04; WL 118-19-11

Frequency Information

MOBILE: City of Los Angeles and Vicinity, centered around NL 34-08-04; WL 118-19-11

Frequency	Station Class	Emission Designator	Authorized Power	Frequency Tolerance (+/-)
2402-2412 MHz	MO	10M0F9F	10 W (ERP)	
2414-2424 MHz	MO	10M0F9F	10 W (ERP)	
2426-2436 MHz	MO	10M0F9F	10 W (ERP)	
2438-2448 MHz	MO	10M0F9F	10 W (ERP)	

This authorization effective December 01, 1999 and
will expire 3:00 A.M. EST December 01, 2001

**FEDERAL
COMMUNICATIONS
COMMISSION**

