

Waiver Request

In the attached application (“Application”), Commission consent is sought for the following:

- Pro forma assignment of Experimental license WE2XXS from DRS EW & Network Systems, Inc. to DRS C3 Systems, Inc.
- Transfer of control of DRS EW & Network Systems, Inc., DRS C3 Systems, Inc. and Station WE2XXS from DRS Technologies, Inc. to Finmeccanica - Società per azioni (sometimes referred to herein as “Finmeccanica”).

Pursuant to Section 1.925(b)(3) of the Commission’s Rules, 47 C.F.R. §1.925(b)(3), a waiver is respectfully requested with respect to the requirement set forth at 47 C.F.R. §1.917(a)(3) that an officer, director, or authorized employee of the Assignor “DRS EW & Network Systems, Inc.” sign the Application on behalf of that entity.

Requests for waiver of the Commission’s rules will be granted where either: “(i) The underlying purpose of the rule(s) would not be served or would be frustrated by application to the instant case, and that a grant of the requested waiver would be in the public interest; or (ii) In view of unique or unusual factual circumstances of the instant case, application of the rule(s) would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative.” 47 C.F.R. §1.925(b)(3)(i),(ii). As demonstrated herein, waiver of 47 C.F.R. §1.917(a)(3) is warranted with respect to the instant Application.

The purpose of the Commission’s signature requirement in a license transfer context is to “verify the accuracy and validity”¹ of the representations made with respect to the assignor. The signator for the assignor DRS EW & Network Systems, Inc. is Nina Laserson Dunn, the Secretary of each of the DRS licensee subsidiary entities, as well as the Executive VP, General Counsel and Secretary of DRS Technologies, Inc., which is the transferor in the transaction and the former parent of DRS EW & Network Systems, Inc. Nina Laserson Dunn is also the Secretary of the assignee entity in this Application – DRS C3 Systems, Inc. In this case, because the signator is fully aware of the (i) all of the facts regarding the transaction that prompted the filing of the Application; (ii) all of the facts supporting the representations set forth in the Application with respect to assignor entity, execution of the assignor’s portion of the Application by Nina Laserson Dunn will ensure fulfillment of the purpose of the rule, thereby fully comporting with Commission policy and the public interest.

In addition, no reasonable alternative exists. As explained in Exhibit 1, effective April 1, 2008, the transaction involved the merger of DRS EW & Network Systems, Inc. into DRS Training & Control Systems, Inc. (DRS TCS), with DRS TCS the surviving entity. Because DRS EW & Network Systems, Inc. no longer exists as a legal entity, it is literally impossible for an “officer, director, or duly authorized employee” of that entity to sign the instant Application on behalf of that company in accordance with the requirements of 47 C.F.R. §1.917(a)(3). Accordingly, there is no reasonable alternative but to seek a waiver of 47 C.F.R. §1.917(a)(3), and grant of the waiver is in full accord with Commission precedent. See, e.g. Letter from Mary M. Schultz to Dawn Meidinger dated September 19, 2001 (Ref. PS&PWD-LTAB-649).

¹ Lotus Development Corp., 16 FCC Rcd 5209 (2001).