

**Before the
Federal Communications Commission
Washington, D.C. 20054**

In the Matter of)
) File No. 0447-EX-CN-2017
Leidos, Inc. Application for Experimental Radio Service)

WITHDRAWAL OF OBJECTIONS OF THE COMMONWEALTH OF VIRGINIA

The Commonwealth of Virginia, Department of State Police (“Commonwealth”), by its counsel, hereby withdraws its informal objections filed August 18, 2017 on behalf of its Statewide Agencies Radio System (“STARS”) in response to the June 7, 2017 Application of Leidos, Inc. for experimental radio service, File No. 0447-EX-CN-2017, as amended, for military aircraft to ground and military aircraft to aircraft radio testing.

By amendment of September 13, 2017 to its Application, Leidos has removed any proposed use of the 150-174 MHz band from its Application.

Since the Commonwealth’s primary concern with Leidos’ Application was with the likelihood of interference with STARS’ public safety activities in that band, the Commonwealth now withdraws its Objections which were filed August 18, 2017 to the Leidos Application.

The Commonwealth would note that it appreciates Leidos’s flexibility, and is pleased that its concerns expressed to Leidos regarding the public safety risks apparently lead Leidos to its decision to amend the Leidos application to delete the 150-174 MHz band of public safety frequencies.

The Commonwealth would note for the record, however, that it strongly disagrees with certain factual allegations made in the August 27, 2017 Response, of Leidos, Inc. to Objections.

Specifically, on pages 3-4 of that Response Leidos claimed that the Commonwealth had orally assured Leidos in negotiations that both Leidos’ proposed ground-based and airborne

transmissions would be acceptable, with specific limitations. In fact, while the Commonwealth had agreed that Leidos' limitations on its ground-based transmissions would be acceptable, both in Leidos' prior STA and in the new pending application, the Commonwealth denies that it ever agreed to accept any Leidos' airborne transmissions, particularly since the potential geographic range and strength of these was likely to cause significant interference to STARS' public safety operations. While the Commonwealth asked Leidos, in the course of its discussions to try to accommodate Leidos, to submit an agreement for the Commonwealth's review reflecting exactly what limitations Leidos was proposing to make on aerial transmissions, there was never any acceptance of these terms by the Commonwealth, verbally or in writing, before or after reviewing Leidos' proposed agreement.

The Commonwealth is willing to be flexible and explore in good faith potential accommodations with experimental licensees or potential licensees such as Leidos, but the Commonwealth cannot allow its public safety operations to be threatened by interference, particularly absent some compelling showing of competing public safety needs.

Again, the Commonwealth appreciates Leidos' withdrawal of any proposed use of the 150-174 MHz band. The Commonwealth expresses no views on, and will leave it to the Commission and existing licensees to determine the appropriate scope of, Leidos' proposed use of the 421-512 MHz band.

Respectfully submitted,

Commonwealth of Virginia
Department of State Police



Peter E. Broadbent, Jr.
VSB No. 015962
Cliona Mary Robb
VSB No. 34344
James M. Ritter
VSB No. 82572
Christian & Barton, LLP
909 E. Main Street
Richmond, VA 23219
(804) 697-4109

Its Counsel

September 22, 2017

CERTIFICATE OF SERVICE

I certify that on September 22, 2017, the forgoing document was served by email and first-class mail, postage prepaid, on counsel for Leidos, Inc.:

Jeffrey E. Rummel, Esq.
Arent Fox LLP
1717 K. Street, NW
Washington, DC 20006-5344



Peter E. Broadbent, Jr.