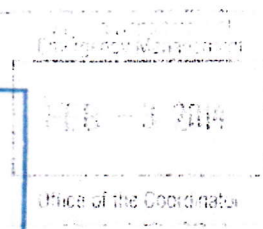
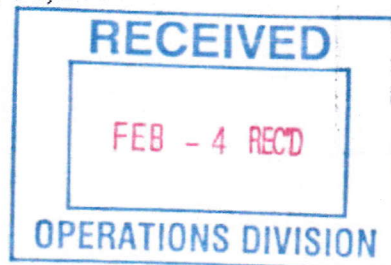




Federal Communications Commission
Washington, D.C. 20554

January 31, 2014

Brett A. Burdick
Acting State Coordinator
Department of Emergency Management
10501 Trade Court
North Chesterfield, Virginia 23236-3713



Dear Mr. Burdick:

In response to your January 29, 2014 request on behalf of the Virginia State Emergency Communications Committee, I hereby grant a limited, one time, waiver of Sections 11.31, 11.45, and 11.61 of the Federal Communications Commission's Emergency Alert System (EAS) rules, 47 C.F.R. Part 11, in order to permit EAS Participants in Virginia to utilize a 'live' Event Code ("TOR") in your state on March 11, 2014, with a back-up date of March 13, 2014.

This waiver is limited to the test to be conducted on the above referenced dates and applies only as that test is described in your January 29, 2014 letter to me. The waiver is based on your representations that (1) Virginia Department of Emergency Management believes that such a test is necessary, including valid concerns that, "Weather Radios do NOT activate an audio alarm for the RWT/RMT codes," necessitating the use of a live "TOR" event code; (2) a pre-test publicity effort will include "on-air broadcasts by the TV meteorologists, public service announcements from radio and television stations, National Weather Service Public Information Statements, News Releases, and e-mail;" (3) partner organizations for the test include, "the Virginia Association of Broadcasters, state and local emergency management, universities, colleges, and elementary and secondary schools throughout Virginia;" (4) "[b]roadcasters, with the exception of LP or SP facilities may choose to intercept and not broadcast the drill message;" and (5) the test message will include "wording clearly declaring that the event is a test before and after the test."

Additionally, I urge you to continue to conduct as wide-ranging a public information campaign as is practicable about the planned testing events on March 11, 2014, with backup date of March 13, 2014.

This rule waiver is granted under delegated authority pursuant to Sections 1.3 and 0.392 of the Commission's rules, 47 C.F.R. Sections 1.3 and 0.392.

Sincerely,

Thomas J. Beers
Chief, Policy Division
Public Safety and Homeland Security Bureau

C: Michael Nelson
Dawn Eischen