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November 8, 2001

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VIA HAND DELIVERY

Magalie Salas Roman, Esq.
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

Re: **Reply Comments**
ET Docket No. 00-258
Nucentrix Broadband Networks, Inc.

Dear Ms. Salas:

On behalf of Nucentrix Broadband Networks, Inc., please accept an original, four copies, and a stamp return copy of the attached Reply Comments in ET Docket No. 00-258. These Reply Comments are filed in response to the initial comments on the Commission's *Further Notice of Proposed Rulemaking*, which was released on August 20, 2001.

If you have any questions, please contact the undersigned at (202) 639-5603. Thank you for your attention to this matter.

Respectfully submitted,

Edwin N. Lavergne

cc: J. Curtis Henderson
Henry M. Rivera

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of	)	
	)	
Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems	)	ET Docket No. 00-258
	)	
Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for Use By the Mobile-Satellite Service	)	ET Docket No. 95-18
	)	
The Establishment of Policies and Service Rules For the Mobile-Satellite Service in the 2 GHz Band	)	IB Docket No. 99-81
	)	
Petition for Rule Making of the Wireless Information Networks Forum Concerning the Unlicensed Personal Communications Service	)	RM-9498
	)	
Petition For Rule Making of UTStarcom, Inc. Concerning the Unlicensed Personal Communications Service	)	RM-10024

To the Commission:

REPLY COMMENTS OF NUCENTRIX BROADBAND NETWORKS, INC.

Nucentrix Broadband Networks, Inc. ("Nucentrix") hereby submits its reply to the initial round of comments filed in response to the Commission's Further Notice of Proposed Rulemaking ("FNPRM") in the above-captioned proceeding.[1]

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[1] Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Services, including Third Generation Wireless Systems, ET Docket No. 00-258, FCC 01-224, 66 Fed. Reg. 47618-47621, *Memorandum Opinion and Order and Further Notice of Proposed Rulemaking* (rel. Aug. 20, 2001) ("FNPRM").

In its comments, Nucentrix expressed a willingness to consider the relocation of its Multipoint Distribution Service ("MDS") licenses in the 2150-2162 MHz band to other comparable spectrum *as long as* the safeguards advocated by the Wireless Communications Association International ('WCA") are put into place.[2] The record developed in response to the FNPRM thus far does *not* establish that comparable replacement spectrum can be made available for MDS licensees. While various parties have identified four specific frequency bands as potential replacement spectrum for MDS licensees,[3] there are numerous technical, legal, and economic issues that must be addressed and resolved with respect to each of these bands. The reply comments of WCA, which are being filed with the Commission today, set forth the unresolved issues with respect to each of the four candidate replacement bands supported by other parties.

Nucentrix remains committed to working with the Commission in its effort to identify comparable replacement spectrum for MDS licensees in the 2150-2162 MHz band. At the same time, Nucentrix urges the Commission to resolve this matter as quickly as possible in order to remove the last cloud of uncertainty that hangs over the deployment of broadband systems that depend on MDS spectrum.

---

2 Comments of Nucentrix Broadband Networks, Inc. in response to FNPRM at 4-5 (filed Oct. 22, 2001).

3 The four bands identified by various parties are the 2385-2400 MHz band, the 2185-2200 MHz band, the 2010-2025 MHz band, and the 1910-1930 MHz band.

Respectfully submitted,

NUCENTRIX BROADBAND NETWORKS, INC.

By: _____

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November 8, 2001

CERTIFICATE OF SERVICE

I, Shelia Wright, hereby certify that on this 8th day of November 2001, I caused copies of the foregoing Comments by Nucentrix Broadband Networks, Inc. to be hand-delivered to the following persons through the Commission's Capitol Heights facility located at 9300 East Hampton Drive, Capitol Heights, MD 20743.

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