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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

January 16, 2002

Magalie Roman Salas
Secretary, Federal Communications Commission
445 12th Street, SW, Room 8-B201
Washington, DC 20554

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Re: Nextel's White Paper on 800 MHz Reconfiguration

Dear Mr. Chairman:

On November 21, 2001, Nextel, Inc. submitted to the Commission a white paper which proposes to realign the 800 MHz land mobile radio band "to rectify commercial mobile radio – public safety interference and allocate additional spectrum to meet critical public safety needs."¹ Several interested private land mobile representatives subsequently filed a letter with the Commission outlining the impact of this proposal on business and industrial land transportation (B/ILT) users.² This letter serves to support the views of the aforementioned parties in this letter by elaborating on the damage that our particular business will suffer as a result of Nextel's proposal.

Nextel's proposed solution includes relocating B/ILT licensees *at their own cost* to 700 MHz or 900 MHz spectrum; recommending that they otherwise become secondary to public safety on a non-interference basis. Our company, Staley Technologies operates an 800 mhz SMR system serving over 700 mobiles in Tuscarwas County, Ohio.

Our initial costs estimates for relocation indicate that such a transition would cost our business five hundred thousand dollars. Moreover, the proposed relocation spectrum either has no equipment available yet (700 MHz) or is already overcrowded (900 MHz). And these possibilities are the "best case scenario," since Nextel's current licensing assignments in these bands are not available on a nationwide basis.

We urge the Commission to reject Nextel's proposal, as it is currently drafted. This action will be detrimental to the American business community; specifically, our nation's daily business communications. It is easy to see that acceptance of this proposal would have an

¹ *Promoting Public Safety Communications: Realigning the 800 MHz Land Mobile Radio Band to Rectify Commercial Mobile Radio – Public Safety Interference and Allocate Additional Spectrum to Meet Critical Public Safety Needs*, submitted to the Federal Communications Commission by Nextel Communications, Inc., on November 21, 2001.

² Letter from Aeronautical Radio, Inc. (ARINC), American Association of Railroads (AAR), American Petroleum Institute (API), Forest Industries Telecommunications (FIT), Industrial Telecommunications Association, Inc. (ITA), MRFAC, Inc. (MRFAC), and United Telecom Council (UTC) to Michael K. Powell, Chairman, Federal Communications Commission, dated December 20, 2001.

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adverse effect on the daily business that Congress and the White House are seeking to support to keep the economy alive. The private wireless industry is fully committed to working with the Commission to find a way to minimize public safety interference. We just ask that the solution not result in the wholesale eviction of private wireless systems from the 800 MHz band.

Sincerely,

Timothy Staley
Staley Technologies
1035 Front St SW
New Philadelphia, Ohio 44663

cc: Commissioner Kathleen Q. Abernathy
Commissioner Kevin J. Martin
Commissioner Michael J. Copps
Magalie Roman Salas, Secretary