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FAX NO. 4258200126

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Mrs. Murray:

I am writing to beg you for action on my behalf. I am a small business owner in Spokane. I own a two-way radio shop, which provides two way radio service to the Spokane business community. I stand in danger of losing my business because of corporate greed and a monopoly.

I own five lower channel 800 MHz radio frequencies. We have had them for 10 years or longer. I am going to assume you are not aware of the Nextel monopoly issue, so I am going to try to explain it to you in this letter and tell you what is currently happening.

About eight years ago the F.C.C. froze the 800 MHz licenses. A radio dealer could not expand his system or get new licenses. The reason they did this is because the wireless industry exploded in the last decade and due to technology it was in danger of getting out of control. When the F.C.C. realized there was a great demand for licensing in certain frequency ranges they saw the value of them. The F.C.C. began auctioning off the available license bands in the 700 MHz, 800 MHz, and 900 MHz. They even auctioned off licenses that were owned by current radio shops who had customers.

Nextel bid on all the upper 800 MHz licenses and got them all. They have also acquired the 900 MHz and I think the 700 MHz. Nextel negotiated a deal with the F.C.C. to either buy out the radio dealer in the upper 800 MHz band or reform him to a different frequency band with compensation. Most of the dealers opted for the buy out.

There are still radio dealers like myself who still own the remaining 800 MHz licenses in the lower band and suffer constant interference from the Nextel system.

Recently Nextel has submitted a plan to the F.C.C. called the "white paper". It proposes stealing the remaining radio 800 MHz channels from current license holders and reforming them to either 700 MHz or 900 MHz without any compensation. Translation: they are trading licenses they don't own and bankrupting the business they are stealing them from.

This means I would have to pay for a new radio system, pay someone to install it, and my customers would have to buy new radio equipment. We are talking about hundreds of thousands of dollars. Needless to say this would for sure bankrupt my business and affect a lot of small business owners in the Spokane community.

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Nextel is the one creating the interference. I DO NOT want to lose my current license, but if I do I should be paid for them. I am sure I speak for the remaining 800 MHz dealers nationwide. Nextel has a monopoly on the people's frequencies and shouldn't be allowed to get away with it.

Mrs. Murray, this is the basics of what is happening on this issue. I am sure you can find out more details in Washington D.C.

I am a small business owner. I borrowed money from my parents IRA's to buy this company and I am not in anyway powerful enough to stop this from happening. This is a proposal from Nextel to the F.C.C. and it needs to be stopped.

I understand you are for "the little guy". I am begging you to step up and swing the bat for me to try and stop this.

Thank you.

A handwritten signature in black ink, appearing to be "DB" or similar initials.

Daniel Brailey  
2way Mobile Communications  
Call sign: WNYF M9  
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Industry Weighs Nextel Public Safety Proposal  
BY ALLYSON VALGHAN  
DECEMBER 3, 2001  
WIRELESS WEEK

WASHINGTON-It happens in Denver, Las Vegas and scores of cities throughout the country. As carriers build out networks, interference problems between commercial mobile radio service providers and public safety entities in the 800 MHz band grow.

With complaints to the FCC on the rise, the industry is considering a proposal from Nextel Communications Inc. to dedicate more spectrum in the 800 MHz band for public safety. Specialized mobile radio services, business radio, industrial and transportation radio systems, public safety and cellular communications systems in the band all would be affected by the proposal. Potentially, hundreds of business and industrial users could be forced to relocate to other spectrum, which would be complicated and costly if the proposal is approved. "We support a solution, but we need to look at this and say, 'Is this the only way to get out of the problem?'" says Sharpe Smith, director of industry and public affairs at the Industrial Telecommunications Association. CTIA is reviewing the proposal, says spokesman Travis Larson.

Nextel says 36 megahertz of land mobile radio spectrum should be realigned and another 10 megahertz of spectrum in the 800 MHz band made available for public safety. Under its proposal, Nextel would contribute its 700 MHz guard band and 900 MHz SMR licenses to make spectrum available to relocate 800 MHz incumbents. The amount of spectrum available in the 800 MHz band for public safety would more than double, increasing from 8.5 megahertz to 20 megahertz.

But one industry source asks: If Nextel, the predominant commercial licensee in the 800 MHz band, is one of the primary causes of the interference, why should business and industrial users be forced to relocate?

Nextel says it would relocate from its current licenses at its own expense and commit up to \$500 million to relocate other 800 MHz users. But Nextel says that other cellular operators and CMRS licensees also should contribute to the public safety returning costs.

Nextel suggests the FCC start a rulemaking on the proposal and adopt changes within six months. In the face of several other thorny policy debates, however, the agency may not be able to act that quickly. Still, as Alan Caldwell, director of government relations at the International Association of Fire Chiefs in Fairfax, Va., says: "We simply cannot have a firefighter or police officer in trouble because some teenager is on the phone talking to his girlfriend." The IAFC and other public safety groups have voiced support for Nextel's proposal.