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Ex parte - Docket 02-55

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Michael K. Powell
Chairman, Federal Communications Commission
445 12th Street, SW, Room 8-B201
Washington, DC 20554

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." 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. 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. This will produce undue hardship for my customers in the Gettysburg and Mobridge areas of South Dakota. I own two 800 MHz analog SMR's at these locations, call signs WNNR710 and WNNR904. Nextel does not provide or nor is intending to provide service in these areas.

Our initial costs estimates for relocation indicate that such a transition would cost our business in excess of \$375,000 to provide new back bone equipment. The cost to my customers would be over \$314,000 for new equipment purchase. 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 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.

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Sincerely,



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cc: Commissioner Kathleen Q. Abernathy
Commissioner Kevin J. Martin
Commissioner Michael J. Copps
Magalie Roman Salas, Secretary
Senator Tom Daschle
Senator Tim Johnson
Congressman John Thune