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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

December 24, 2001

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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 that 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. My company, Milbank Communications, owns and operates a small 800 MHz SMR on B/ILT channels that we use to provide Dispatch Communications Services to Small Business's and Farmer's in NE South Dakota.

Our initial costs estimates for relocation indicate that such a transition would cost our business and our customers an estimated 450-500 thousand dollars. This would sign a death certificate for my SMR system and force my customers to look elsewhere for Dispatch service. 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. Nextel has yet to complete its last venture of moving existing SMR Operator's to Channel's they don't seem to have or wish to give up. Nextel also has yet to build out into our Rural areas with

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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the Channels they now have. Nextel needs to finish with one Spectrum change before starting on another.

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.

Sincerely,

Gene Johnsen
Milbank Communications
P O Box 3
Milbank SD 57252-0003

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