Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission's Rules (Television Channels 60-69)	)	WT Docket No. 99-168
	)	
Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59)	)	GN Docket No. 01-74
	)	
Improving Public Safety Communications in the 800 MHz Band	)	WT Docket No. 02-55

COMMENTS OF NEXTEL COMMUNICATIONS, INC.

Nextel Communications, Inc. ("Nextel") hereby submits these comments regarding the Application for Review filed by the Cellular Telecommunications & Internet Association ("CTIA") in the above-captioned proceedings.[1] Nextel takes no position on CTIA's request to delay the auction of licenses in the Upper and Lower 700 MHz bands *per se.* Nextel, however, opposes CTIA's suggestion that the 700 MHz band

[1] Service Rules for the 746-764 and 776-794 MHz Bands, and the Revisions to Part 27 of the Commission's Rules (Television Channels 60-69); Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59); Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 99-168, GN Docket No. 01-74, WT Docket No. 02-55, *Application for Review of the Cellular Telecommunications & Internet Association*, filed April 24, 2002 (hereinafter *"CTIA Application"* or *"Application"*).

is a viable option for the Commission to consider in its *Public Safety Rulemaking*.[2] The 700 MHz band would be a sub-optimal, significantly delayed solution to the interference problems that have arisen in the 800 MHz band and the spectrum shortage faced by the public safety community that the Commission urgently seeks to address.

I. The CTIA Application

The *CTIA Application* seeks delay of the 700 MHz auctions (Auction Nos. 31 and 44), pointing out that incumbent broadcasters would have to be cleared before the spectrum would be useable. CTIA cites the needs of prospective bidders to "obtain greater certainty and clarity regarding the realistic measures that will be required to clear the band of incumbents prior to the auctions, and a better sense as to when those measures could be successfully implemented."[3]

CTIA further contends in its *Application* that the introduction of a bill in Congress provides additional grounds for the Commission to delay the 700 MHz auctions.[4] As introduced, that bill includes a finding that there are interference problems in the 800 MHz band, especially for public safety, and that one option being considered for the 800 MHz band would involve the 700 MHz band.[5]

The Commission should reject any suggestion that the 700 MHz band is a viable option for resolving the interference and spectrum shortage problems that are affecting

---

[2] Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55, *Notice of Proposed Rulemaking*, 17 FCC Rcd 4873 (2002) (hereinafter "*Public Safety NPRM" or "Public Safety Rulemaking")*.

[3] *CTIA Application* at 2.

[4] *Id.* at 4.

[5] *Id.* at 5, referring to the Auction Reform Act of 2002, H. R. 4560, at Sec. 2(4*)*.

public safety. As set forth below, the 700 MHz band provides no viable solution to these pressing issues, which are the subject of the *Public Safety Rulemaking.*

II. The 700 MHz Band Is Not a Viable Option for Addressing Public Safety's Urgent Spectrum Needs.

Public safety users today face unprecedented demand for their services, and their spectrum needs are urgent.[6] Public safety users in the 800 MHz band are receiving interference from commercial mobile radio service ("CMRS") operators and face a significant shortfall of spectrum. As the Commission stated in the *Public Safety NPRM*, "CMRS interference to public safety systems presents a sufficiently serious problem that a solution must be found."[7] Public safety's spectrum shortfall has been demonstrated to the Commission in the past[8] and has only grown more severe in the wake of recent, new demands on first responders and other public safety users.[9]

---

[6] *See, e.g.,* Statement of Glen Nash, President, Association of Public-Safety Communications Officials-International, Inc. (APCO), Before the United States Senate Commerce, Science and Transportation Committee, Communications Subcommittee (March 6, 2002) (hereinafter *"Statement of Glen Nash"), available at:* <http://www.apco911.org/gov/docs/nash_3-6-2002.htm>.

[7] *Public Safety NPRM* at ¶ 16.

[8] *See* "Final Report of the Public Safety Wireless Advisory Committee to the Federal Communications Commission, Reed E. Hundt, Chairman and the National Telecommunications and Information Administration, Larry Irving Assistant Secretary of Commerce for Communications and Information" (Sept. 11, 1996) (advising the FCC of the critical need to allocate 97.5 MHz of additional spectrum to public safety to meet current and future needs through the year 2010; Public Safety Wireless Network (PSWN) Report, "Public Safety Radio Frequency Spectrum: Highlighting Current and Future Needs" (Jan. 2000) (FCC needs to allocate 73.5 MHz of additional public safety spectrum); *Petition for Rule Making by the Public Safety Wireless Network to Promote Allocation of Spectrum for Public Safety Agencies and Other Matters to Address Communications Needs Through 2010*, RM 96-86, at iv (Sept. 14, 2001) (emphasizing the need for 71 MHz of additional public safety spectrum.

[9] *See, e.g., Statement of Glen Nash.*

Some have suggested that the Commission address these problems by relocating 800 MHz band public safety licensees to the 700 MHz band.[10] This is not a viable option and provides no basis for delaying the 700 MHz auctions. There are over 100 incumbent broadcast television stations operating in the upper 700 MHz band alone, and, as described below, these stations likely will continue to operate on this spectrum for years to come. This obviously prevents public safety systems from operating on this spectrum, and creates great uncertainty about when this band will be available for non-broadcast use. Indeed, the *CTIA Application* highlights the encumbrances and uncertainties that prospective commercial wireless operators face regarding the 700 MHz band.[11] There is no reason that the uncertainty and delay associated with use of the 700 MHz band that CTIA details should be any more tolerable for the public safety community than it is for CTIA and its members. In fact, the proposed "700 MHz option" for public safety would impose degrees of uncertainty and delay that far exceed what commercial entities presently find unacceptable.

---

[10] S*ee, e.g.,* Letter to Chairman Michael K. Powell from Brian Fontes, Vice President, Federal Relations, Cingular Wireless LLC, WT Docket No. 99-168 (April 18, 2002); Letter to Chairman Michael K. Powell from the Coalition for Constructive Public Safety Interference Solutions, WT Docket No. 99-168 (April 26, 2002).

[11] CTIA points out the significant encumbrances of the 700 MHz band. *See CTIA Application* at 2 (noting that uncertainties about these bands may continue for some time); *id*. at 2 (noting "uncertainty over when or how the incumbent broadcasters might be convinced to leave the band"); *id.* at 6 (noting that time is needed to resolve existing uncertainty about "when and how this spectrum will be cleared"); and *id.* at 3 (arguing that "manufacturers will not focus on developing equipment for this band until the timing of availability of the spectrum is clarified.")

III. The "700 MHz Option" Would Require Several Changes to the Law and Several Commission Rulemaking Proceedings.

The "700 MHz option" would require Congress to reverse a number of significant legislative actions it has taken in recent years. This "option" would also depend on the Commission initiating and completing several complex rulemaking proceedings. These statutory changes and Commission proceedings present tremendous, time-consuming hurdles to using the 700 MHz band for public safety. The outcome of these legislative and administrative proceedings cannot be predicted, given the ever-increasing and varied demands for spectrum and the conflicting constituencies involved.

A. Reallocation

Congress has expressly directed the Commission to allocate 36 MHz of spectrum in the upper 700 MHz band "for commercial use."[12] Before this spectrum could be allocated for public safety use, Congress would have to amend the law to re-designate this band as public safety spectrum. Additionally, the Commission would have to conduct a rulemaking proceeding to reallocate this spectrum and establish service rules.

B. Assignment Methodology

Congress specifically designated 36 MHz of spectrum in the upper 700 MHz band "to be assigned by competitive bidding."[13] Therefore, before public safety could use these channels, Congress would need to amend the law to permit assignment by some means other than competitive bidding. The Commission would then have to conduct a rulemaking to determine how the newly-allocated spectrum would be assigned.

---

[12] *See* 47 U.S.C. § 337(a)(2), as added by Section 3004 of the Balanced Budget Act of 1997, Pub. L. No. 105-33, 111 Stat. 251 (1997).

[13] *See id.*

C. Redirect and Appropriate Auction Proceeds

The "700 MHz option" also depends upon earmarking auction proceeds to help pay for the relocation costs that public safety users would incur in relocating to the 700 MHz band. By statute, however, spectrum auction proceeds must be deposited directly in the U.S. Treasury.[14] Congress would therefore be required to amend this statutory provision before auction proceeds could be spent on compensating public safety users for their relocation costs. Further, the Commission would have to conduct a rulemaking to determine the specific terms of this compensation, including, for example, which types of equipment would be covered, the timing of the compensation, what recourse relocating public safety users would have if the auction proceeds were insufficient to cover the costs of relocating, and many other details. Additionally, before public safety users could be compensated for their relocation costs, Congress would have to pass appropriations legislation specifically directing the expenditure of funds for this purpose.

D. Amend Broadcasters' Digital Television Transition Schedule

To clear broadcasters from the spectrum, Congress would also have to amend the digital television ("DTV") transition schedule it adopted in 1997.[15] Under that statutory schedule, analog broadcast television stations, including those operating in the 700 MHz band (Channels 60-69) are permitted to continue operations until their markets are converted to DTV, which is not scheduled to occur until December 31, 2006 at the earliest.[16] By statute, the Commission must extend this date in certain circumstances,

---

[14] *See* 47 U.S.C. § 309(j)(8).

[15] 47 U.S.C. § 309(j)(14).

[16] *Id.*

including the lack of significant penetration of digital television service within a market.[17] The Congressional Budget Office has found it likely that the Commission will need to extend the December 31, 2006 deadline by a considerable number of years.[18] Indeed, most broadcast stations have already missed the FCC's deadline to begin broadcasting in DTV.[19]

IV. Public Safety Equipment is Not Available for 700 MHz and Continued Uncertainty Will Chill Development of 800 MHz Equipment.

Because there is so much uncertainty about when 700 MHz spectrum will be cleared and available for new uses, equipment has not been developed for the 700 MHz band. CTIA notes in its *Application* that manufacturers are unlikely to begin to develop equipment in the near future for the 700 MHz band.[20] It is impractical, therefore, to regard 700 MHz as a viable option for public safety users, who cannot relocate to a new band without a supply of available equipment.

Further, after years of planning, a number of states are now installing statewide 800 MHz public safety systems.[21] Until the Commission rejects the notion that public safety users could be relocated to the 700 MHz band from the 800 MHz band, those

---

[17] *Id*.

[18] *See Completing the Transition to Digital Television*, Congressional Budget Office, at Summary (September 1999). ("It now appears likely that the transition will extend beyond 2006 in most markets, with its ultimate end uncertain.")

[19] *See Many Broadcasters Will Not Meet May 2002 Digital Television Deadline*, Report to the Ranking Minority Member, Subcommittee on Telecommunications and the Internet, Committee on Energy and Commerce, House of Representatives, United States General Accounting Office, at 4 (Apr. 2002).

[20] *CTIA Application* at 3.

[21] For example, the states of Florida, Michigan, Ohio and Pennsylvania are all deploying statewide public-safety communications systems.

states face potentially stranded investment and significant uncertainty about whether to deploy their critically-needed 800 MHz systems. Until it rejects the "700 MHz option" for public safety, the Commission also risks the likelihood that manufacturers, wary of more uncertainty regarding spectrum reallocation, will be reluctant to make the investments necessary to develop new equipment, even for the 800 MHz band. In short, delaying the 700 MHz auctions to explore relocating 800 MHz public safety systems to 700 MHz may "freeze" both the deployment of new 800 MHz public safety systems and the continued development and sales of 800 MHz public safety equipment.

V. The Commission Has Ample Authority to Resolve Public Safety Spectrum Needs Expeditiously Without Relocating Public Safety Systems to the 700 MHz Band.

The Commission stated in the *Public Safety NPRM* that it "intend[s] to move swiftly to achieve [the] objective" of "improving the spectrum environment for public safety operations in the 800 MHz Band."[22] The Commission has ample existing statutory authority to achieve this objective in a manner that does not involve relocating public safety licensees to the 700 MHz band.

In particular, the Commission has before it Nextel's *White Paper* proposal to resolve public safety's pressing spectrum needs.[23] If adopted, that proposal would correct the basic causes of CMRS – public safety interference and address public safety's urgent spectrum needs by establishing a realignment plan that allocates additional 800 MHz

---

[22] *Public Safety NPRM* at ¶ 3.

[23] 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 (Nov. 21, 2001) (*"White Paper"*).

spectrum to public safety and assigns replacement spectrum to affected 800 MHz incumbents. The *White Paper* proposal can be adopted promptly and requires no statutory changes. It would allow public safety to retune within the 800 MHz band and avoid far more costly relocation by public safety to the 700 MHz band. It would also permit first responders and other public safety parties to take advantage of the fact that public safety communications equipment is readily available for operation at 800 MHz. Expanding the amount of exclusive, contiguous public safety spectrum at 800 MHz is a far more effective and efficient long-term plan than establishing additional public safety spectrum in another band and relocating the entire public safety community. No other spectrum bands are as well suited as the 800 MHz band to satisfy public safety's critical communications needs quickly.

The Commission should not create more delay and uncertainty by casting any favorable light on a purported 700 MHz solution that would require multiple statutory changes. It is unrealistic to expect Congress to take all of the highly controversial steps that the 700 MHz proposal would require, especially when there are far superior alternatives wholly within the Commission's spectrum management authority.

VI. Conclusion

In light of the public safety priorities recognized by the Commission, the "700 MHz option" is so impractical from both a cost and time perspective, and promises so

little in the way of a solution to public safety's needs, that it warrants no further consideration as a basis for delaying the 700 MHz auctions.

Respectfully submitted,

NEXTEL COMMUNICATIONS, INC.

/s/ Robert S. Foosaner_____
Robert S. Foosaner
Senior Vice President and Chief Regulatory Officer

Lawrence R. Krevor
Vice President – Government Affairs

2001 Edmund Halley Drive
Reston, VA 20191
(703) 433-4141

Regina M. Keeney
Lawler, Metzger & Milkman, LLC
2001 K Street, NW, Suite 802
Washington, DC 20006
(202) 777-7700
Counsel for Nextel Communications, Inc.

May 3, 2002

CERTIFICATE OF SERVICE

I, Denise Owusu, do hereby certify that on this 3rd day of May, 2002, I served copies of the foregoing Comments of Nextel via mail upon the following.

Michael Powell, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Kathleen Abernathy, Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Michael J. Copps, Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Kevin J. Martin, Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Bryan Tramont, Senior Legal Advisor to
Commissioner Abernathy
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Paul Margie, Spectrum and International
Legal Advisor to Commissioner Copps
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Peter Tenhula, Senior Legal Advisor to
Chairman Powell
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Sam Feder, Legal Advisor on Spectrum and
International Issues to Commissioner Martin
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Thomas Sugrue, Bureau Chief
Wireless Telecommunications Bureau
445 12th Street, SW
Washington, DC 20554

Kathleen Ham, Deputy Chief
Wireless Telecommunications Bureau
445 12th Street, SW
Washington, DC 20554

Robert Pepper
Office of Plans and Policy
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Edward Thomas, Chief
Office of Engineering and Technology
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Kenneth Ferree, Chief
Media Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Michael F. Altschul, Senior Vice President,
General Counsel
Cellular Telecommunications & Internet Assn.
1250 Connecticut Avenue, NW
Suite 800
Washington, DC 20036

Leonard S. Kolsky
Filed on Behalf of: Array Comm. Inc.
Lukas, Nace, Gutierrez & Sachs
1111 Nineteenth Street, N.W.
Suite 1200
Washington, DC 20036

Paul Koplin
Field on Behalf of: World Television of Washington, LLC
4164 Guide Meridian
Suite A
Holt, MI 48842

Filed on Behalf of: Com-Net Ericsson Critical Radio Systems, Inc.
Attn: Robert J. Speidel, Esq.
P. O. Box 2000
Lynchburg, VA 24501

Paul Koplin
Filed on Behalf of: Four Season Peoria, LLC
331 Fulton
Suite 100
Peoria, IL 61602

M.S. Buddy Merrick
Field on Behalf of: Good Companion Broadcast, Inc.
262 Swamp Fox Road
Box 229
Chambersburg, PA 17201

Kenneth Creech
Filed on Behalf of: WTBU Butler University
2835 N. Illinois Street
Indianapolis, IN 46208

Colby M. May
Law Offices of Colby M. May
Filed on Behalf of: Jacksonville Educators Broadcasting, Inc.
205 Third Street, S.E.
Washington, DC 20005

Mark C. Carver
Filed on Behalf of: Utility, Cable & Telecommunications Committee
Uddo, Milazzo & Beatmann
3850 N. Causeway Boulevard
Suite 1510, Lakeway Two
Metaire, LA 70007

Filed on Behalf of: TIA Private Radio Section
1300 Pennsylvania Avenue, N.W.
Suite 350
Washington, DC 20004

Paxson Communications Corporation
601 Clearwater Park Road
West Palm Beach, FL 33401

Richard C. Barth
Filed on Behalf of Motorola, Inc.
1350 I Street, N.W.
Suite 400
Washington, DC 20005

Joe Williams
Filed on Behalf of: Brevard Community College
1519 Clearlake Road
Cocoa, FL 32922

James H. Thompson
Filed on Behalf of: Dove Broadcasting, Inc.
P. O. Box 1616
Greenville, SC 29602

John B. Tupper
High Mountain Broadcasting Corporation
112 High Ridge Avenue
Ridgefield, CT 06866

Michael D. Smith
Filed on Behalf of: Living Faith Ministries
8594 Hidden Valley Road
Abingdon, VA 24210

Wayne Wetzel
Filed on Behalf of: Christian Television of Palm Beach County, Inc.
1900 South Congress Avenue
Suite B
West Palm Beach, FL 33406-6610

Alexandra Kol
44 Melody Lane
Westbury, NY 11590

Lawrence M. Ausubel
Filed on Behalf of: Spectrum Exchange Group
2920 Garfield Terrace, N.W.
Washington, DC 20008

Lowell W. Paxson
Filed on Behalf of: Paxson Communications Corporation
601 Clearwater Park Road
West Palm Beach, FL 33401

Laura Smith
Filed on Behalf of: Industrial Telecommunications Association, et al.
1110 N. Glebe Road
Suite 500
Arlington, VA 22201

Covington & Burling
Filed on Behalf of: Midwest Television, Inc.
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401

Jack N. Goodman
Filed on Behalf of: National Assn. of Broadcasters
1771 N Street, N.W.
Washington, DC 20036

Amy L. Levine
Filed on Behalf of: Association for Maximum Service Television, Inc.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004

John T. Scott
Verizon Wireless
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004-2595

Barry A. Friedman
Thompson Hine & Flory, LLP
Filed on Behalf of: Entravision Holding, LLC
Suite 800
1920 N Street, N.W.
Washington, DC 20036

J. Geoffrey Bentley
Bentley Law Office
Filed on Behalf of: Maranatha Broadcasting Companies, Inc.
P. O. Box 710207
Herndon, Virginia 20171

J. Geoffrey Bentley
Bentley Law Office
Filed on Behalf of: Sonshine Family Television, Inc.
P. O. Box 710207
Herndon, VA 20171

Brendan Holland
Shaw Pittman
Filed on Behalf of: Sinclair Broadcasting Group, Inc.
2300 N Street, N.W.
Washington, DC 20037

USA Broadcasting, Inc.
1240 Avenue of the Americas
New York, NY 10020

Wilkinson Barber Knauer, LLP
Filed on Behalf of: Verizon Wireless
2300 N Street, N.W.
Suite 700
Washington, DC 20037

Robert L. Hoggarth
Personal Communications Industry Association
500 Montgomery Street
Suite 700
Alexandria, VA 22314-1561

Industrial Telecommunications Association, Inc.
Spectrum LLC
1110 North Glebe Road
Arlington, VA 22201

Robert M. Gurss
Filed on Behalf of: Assn. Of Public Safety
Communications Officials-International, Inc.
Shook, Hardy & Bacon
600 14th Street, N.W.
Suite 800
Washington, DC 20005

George Graham
6024 Luddington Drive
Toledo, OH 43615

Lukas, Nace, Gutierrez & Sachs
Filed on Behalf of: American Mobile
Telecommunication Assn, Inc.
1111 19th Street, N.W.
Suite 1200
Washington, DC 20036

Kevin G. Rupy
Filed on Behalf of: Mobel Communications, Inc.
1150 18th Street, N.W.
Suite 250
Washington, DC 20036

Sarah R. Iles
Leventhal, Senter, & Lerman, PLLC
Filed on Behalf of: TRW, Inc.
2000 K Street, N.W.
Suite 600
Washington, DC 20006-1809

Richard C. Barth
Motorola, Inc.
1350 I Street, N.W.
Washington, DC 20005

ArrayComm, Inc.
3141 Zanker Road
San Jose, CA 95134

Veronica M. Ahern, Esq.
Nixon Peabody, LLP
Filed on Behalf of Qualcomm, Inc,
One Thomas Circle, N.W.
Suite 700
Washington, DC 20005-2000

Mathew J. Plache
Catalano & Plache, PLLC
Filed on Behalf of: Rig Telephone Inc.
dba Datacom
3221 M Street, N.W.
Washington, DC 20007-3617

Douglas I. Brandon
Mintz, Levin, Cohn, Ferris, Glovsky & Popeo
Filed on Behalf of: AT&T Corporation
1150 Connecticut Avenue, N.W.
Washington, DC 20036

Stuart Ingis
Piper Marbury Rudnick, Wolfe LLP
Filed on Behalf of: PSINet, Inc.
1200 Marbury Rudnick & Wolf
Washington, DC 20036

Arthur L. Jones
City of Milwaukee Police Department
Police Administration Building
749 West State Street
P. O. Box 531
Milwaukee, WI 53201-0531

Julia Kane
Filed on Behalf of: U.S. West Wireless, LLC
1020 19th Street, N.W.
Suite 700
Washington, DC 20036

Albert J. Catalano
Catalano & Plache, PLLC
Filed on Behalf of: DATARADIO
3221 M Street, N.W.
Washington, DC 20007

Robert M. Gurss
Filed on Behalf of APCO
Shook, Hardy & Bacon, LLP
600 14th Street. N.W.
Suite 800
Washington, DC 20005

John Horsley
AASHTO's
444 N. Capitol Street, N.W.
Suite 249
Washington, DC 20001

Michael D. Robinson
International Association of Chiefs of Police
515 N. Washington Street
Alexandria, VA 22314-2357

William K. Keane
Arter & Hadden
Filed on Behalf of: MRFAC, Inc.
1801 K Street
Suite 400
Washington, DC 20006-1301

Michele Farquhar
Hogan & Hartson
Filed on Behalf of: The International Association
Chief of Police
555 Thirteenth Street, N.W.
Washington, DC 20004

Cathleen A. Massey
NEXTELINK Communications, Inc.
1730 Rhode Island, N.W.
Washington, DC 20036

Stanford K. McCoy
Covington & Burling
Filed on Behalf of: Association for Maximum
Service Television, Inc.
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004

Christine M. Gill
McDermott, Will & Emery
Filed on Behalf of: Southern LINC
600 13th Street, N.W.
Washington, DC 20005-3096

Betsy Stover Granger
SBC Communication, Inc.
4420 Rosewood Drive
4th Floor
Pleasanton, CA 94588

Dataradio Corporation
Catalano & Plache, PLLC
3221 M Street, N.W.
Washington, DC 20007

E.F. Johnson Company
299 Johnson Avenue
Waseca, MN 56093

State of Florida
DMS, IT, Bureau of Wireless Communications
4030 Esplanade Way, 280H
Tallahassee, FL 32399

Kevin S. DiLallo
Microsoft Corporation
Levine, Blaszak, Block & Boothby, LLP
2001 L Street, N.W.
Suite 900
Washington, DC 20036

/s/ Denise Owusu
Denise Owusu