



through more conventional means. Access Spectrum's experience in the marketplace will provide a valuable "reality check" to the Commission as it seeks to expand operator flexibility and more aggressively promote secondary markets for spectrum acquisition.

To this end, as the Commission considers means to foster the further development of secondary markets, Access Spectrum urges the Agency to also consider regulatory safeguards. Specifically, Access Spectrum suggests rules that minimize the potential negative impact of haphazard spectrum leasing efforts on both the newly created secondary market as well as the existing primary market. Access Spectrum's strong commitment to operate solely as a band manager enables us to act as a responsive, "hands-on" manager of the spectrum without the prejudice of first protecting our communications facilities. We question the wisdom of allowing *ad hoc* spectrum leasing by licensees that lack this level of commitment.

Spectrum users (like licensees) demand a high level of certainty for their wireless communications systems. Users will eschew certain frequency bands if a strong possibility exists for new sources of interference to be deployed. Therefore, while waiting for technological developments that will enable the application of the interference temperature concept raised in the Task Force Report, the FCC must strengthen its core obligation to monitor and reduce interference and re-energize its enforcement capabilities to ensure that those causing interference are responsible for immediately resolving it. These are not activities that market forces can adequately resolve. Incumbent users, especially those that purchased their licenses at auction, should not have the quality of their wireless communications, and their financial investments, degraded by new spectrum users.

Once again, Access Spectrum congratulates the FCC on a well-written and thoughtful piece on U.S. spectrum management policies. We look forward to working with the Commission to help ensure that Americans continue to benefit from a wide range of wireless communications services and technologies.

Respectfully submitted,

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