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RECEIVED & INSPECTED  
JAN 29 2003  
FCC - MAILROOM

January 24, 2003

In the matter of, )  
)  
Facilitating the Provision of Spectrum-Based )  
Services to Rural Areas and Promoting )  
Opportunities for Rural Telephone Companies )  
To Provide Spectrum-Based Services )

Page 1 of 4

WT Docket No. 02-381

Comment in the above Matter,

**Reference Introduction:**

It is apparent in Rural Missouri the Effectiveness of the current regulatory tools simply do not work. In addition the term "Rapid" in describing the intent to provide Cellular service is not part of the Mission or Purpose of providers in rural Missouri. It would be assumed the Commission would recognize a National Forest as being defined as "rural" by its very nature and so defined by the Department known as the U.S. Forest Service.

**Background:**

Those providers holding License to provide Cellular Service in the Missouri counties of Iron, Washington, Dent, Reynolds and Crawford, and Specifically the City of Viburnum, Missouri, have not to date agreed to meet with local authorities to consider what obstacles exist in providing wireless phone service. At this point there appears to be no "teeth" or "accountability" in effect that causes wireless providers to actually provide any service to rural Missouri much less "rapid" service. Therefore the process of bidding appears to be flawed, in that the system in place currently has not provided the service demanded nor real efforts to do so.

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List A B C D E

**Request for Comment:**

Recognize this document as the official "Request for Comment" representing the City of Viburnum, Missouri, V E. D A C (Viburnum Economic Development Area Corporation) a recognized 501 c (3) Economic Development organization Supporters of this effort and Cell service for this region include; The Iron County Commission, Iron County Industrial Development Authority, Disabled Citizens Alliance for Independence, Viburnum Area Chamber of Commerce, State Representative 152nd District of Missouri, J.C. Kuessner, State Representative 150th District of Missouri, Frank Barnitz, State Representative 106th District of Missouri Kevin Engler, Quad County Fire Protection District, Iron County Ambulance District, Iron County C-4 Schools, University Extension, Crawford County Cattleman Association, The Doe Run Company (largest lead producer in the United States), Missouri State Senator 3rd District, Harry Kennedy, U.S. Congresswoman Missouri 8th District, JoAnn Emerson, Midwest Trail Riders Association and a host of other civic organizations, businesses and individuals.

In addition to the above named, be advised several individuals have filed formal complaints to the Federal Communications Commission by way of FCC Form 445 Attempts have also been made by the City of Viburnum to hold "Fact finding" meetings with Cingular Wireless of St. Louis, Missouri. The following is an email response to a written request for a meeting with Cingular Wireless; *"We have evaluated your request for a Cell site for the City of Viburnum, and agree the need exist. However, when Cingular prioritizes the needs for cell sites. Viburnum does not make the list for budgeted sites for the next 2-3 years. Cingular's ability to place a site in Viburnum will be re-evaluated at that time, or sooner if market conditions change. Please let me know if you have any further questions."* Thanks Sonya Gibson, Manager-Network Technical Sales Support, Mo./Ks. Office 314-835-2565, Mobile 314-420-0040, Fax 314-835-2586, email - [sonya.gibson@cingular.com](mailto:sonya.gibson@cingular.com)

Copies of the request and supporting information are attached to this document

Several contacts have been made with other organizations such as NTCA, AT&T Wireless, Southwestern Bell, American Tower Company, Missouri Public Service Commission, Version Wireless, Steelville Telephone Company, AmerenUE, U.S. Forest Service and Utility Co-op's. Locally, Steelville Telephone and AmerenUE have expressed great interest in meeting with any wireless provider. In addition the City of Viburnum has offered the use of one of two water towers that wireless equipment could be placed at a much reduced cost as compared to a new tower Also note the city of Viburnum is one of the highest elevated locations in the state of Missouri. AmerenUE has also offered a 150 foot tower nearby in order to offer wireless service.

#### **Definition of Rural Areas;**

It would be assumed the Federal Communications Commission would recognize a Federal U S Forest as a defined "rural" area. It would also seem obvious the City of Viburnum, Missouri, population 825, along with the rural Missouri Counties of Iron, Crawford, Dent, Reynolds and Washington, are in a "rural" area.

#### **Bidding Credits;**

It is hereby proposed the Federal Communications Commission place strict guidelines on successful bidders of rural wireless communication providers that are awarded bids for licensing of such service under FCC regulations. Those guidelines should include but not be limited to;

- \* Within 12 months of awarded successful bid, file a "Plan of action" to provide wireless service within the rural service area.
- \* Within 18 months of awarded bid, meet with local, county, state and federal agencies in the rural service area awarded to disclose the Plan of action and a time frame of available service.
- \* Within 24 months provide wireless service or be subject to severe penalty for each month service is not provided.

**Geographic Service Areas;**

Geographic Service Areas should be defined by the Federal Communication Commission in conjunction with the State Public Service Commission based on the ability of the current technology of systems. In defining that area no geographic territory would be excluded by definition of any cause, thus delivering on the spirit and intent to serve the rural area.

**Partitioning and Disaggregation;**

It appears the current Partitioning and Disaggregation policies are not enough to encourage wireless service in rural Missouri. With what appears to be no time tables to hold successful bidders in compliance, it seems those recommendations in this document under the section Bidding Credits would assist in this matter

**Performance Requirements;**

There should be ample data to support Performance Requirements after years of Spectrum requirements in successful urban and rural locations. This again could be coordinated with information from the Federal Communication Commission and the Public Service Commission in each state.

**Band Manager Licensing;**

The advantages and disadvantages of Band Manager Licensing is an issue that this draft will not comment on based on lack of information. The core complaint remains the lack of rural service or attempt to provide said service.

**Technical and Operational Rules;**

This issue has been addressed in the Bidding Credits section of this document

**Unlicensed Spectrum;**

If service is provided as intended by Spectrum and the spirit within the legislation, the issue of no service in rural areas would not exist. Therefore unlicensed spectrum would not exist

**Eligible Telecommunications Carriers;**

All carriers should be eligible to provide wireless service that are properly licensed and in compliance with the FCC and State Public Service Commission.

**Conclusion:**

As described in this document, let it be **known** the individuals and organizations listed within this document, believe the geographical location listed on the enclosed map is “not” served or is under served by wireless communications. In addition several attempts have been made by telephone, U.S mail and email to request the License Holder for this area to meet with affected public. To date that request has either been denied or ignored. It is believed there is sufficient data and partnering with other organizations and utility companies to support wireless communication in our region of rural Missouri. Given the mass of Federal Land within our region, this alone should be cause enough for the citizens to demand such valuable wireless communication service, as regulated by the same Federal Government.

Submitted respectfully,

  
Lance Mayfield  
Mayor  
City of Viburnum

*City of Viburnum*

P. O. Box 596  
VIBURNUM, MISSOURI 65566

DOCKET FILE COPY ORIGINAL

January 3, 2003

Joey Suter  
Cingular Wireless  
13075 Manchester Road  
St. Louis, Missouri 63131

Dear **Mr.** Suter,

In the last couple weeks I sent you a copy of our communities concerns related to the lack of cell phone signal and coverage. Those communications have been with the FCC and our Representative in Congress, JoAnn Emerson

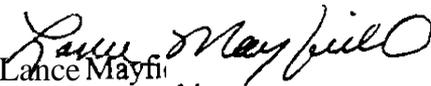
We are very serious about making cell phone coverage a priority in our region. I feel **we** have an excellent location for a cell tower site. This location will enable **5** counties in south central Missouri to have cell phone services. Those counties have either limited or no cell phone service now. The new site will fill a large void for thousands of residents and travelers on Missouri rural highways.

I would like to host a fact finding meeting in Viburnum, Missouri to further explore the obstacles and possibilities of a cell phone tower site in the city of Viburnum. I have enclosed a list of those I believe should attend this meeting. The list is comprised of people and companies I believe that need to partner or work together to bring cell phone service to our region.

I have also enclosed demographic information that will assist in the process of assessing the market and the population of the underserved area.

Please contact me at my business, Farmers Insurance (573-244-3377) to advise of your interest in this meeting and project. Feel **free** to contact me by **email** as well **at**, (mayfield@misn.com). I would like to move on this as soon **as** possible and prefer a January meeting, possibility the last week sometime during normal business hours.

Sincerely,

  
Lance Mayfield

Mayor

cc; FCC

Congresswoman, JoAnn Emerson  
Steelville Telephone  
AmerenUE

..

## Viburnum Cell Tower Fact Finding Team

Cingular Wireless;

Real Estate Representative  
Engineering Manager  
Sales Representative

Steelville Telephone;

General Manager - Don Santhuff

AmerenUE;

Economic Development Contact - Skip Smallwood

US Forest Service;

Local Representative - Gail Blair

Iron County Commission;

Presiding Commissioner - Terry Nichols  
Associate Commissioner - Reggie Burns

Iron County Economic Development;

**IDA** Director - ~~Rita~~ Henroid

City of Viburnum;

Mayor - Lance Mayfield

Eight Congressional District Congresswoman;

JoAnn Emerson

Federal Communications Commission;

Local Representative

Missouri House of Representative, 152nd District;

J.C. Kuesner

## Statistical Data for Cell Phones

### ***Highway Traffic Counts: 2000 Data***

* 49 in Viburnum =	21 18	Iron County
* 32 @ KK Jct =	2044	Iron County
* 21 @ 32 Jct =	1790	Iron County
* Hwy KK @ Doe Run	2142	Iron County
* Hwy 21 @ Jct 49	2385	Reynolds County
* Hwy 72 @ Bunker	1318	Reynolds County
* Hwy 32 East of Salem	1894	Dent County
* Hwy 19 North of Salem	1 174	Dent County
* Hwy 49 East of Cherryville	1196	Crawford County
* Hwy 8 East of Steelville	5808	Crawford County
* Hwy C Belgrade	25 14	Washington County
* Hwy 21 @ Elephant Rocks	10868	Iron County
<b>Total</b>	<b>35251</b>	

\* For Comparison Reference only for other traffic counts;

1-44 Total @ Cuba = 25827

1-55 Total @ Perryville = 18230

### ***Five County Population:***

*Iron	10726
*Crawford	19173
*Washington	20380
*Reynolds	6661
*Dent	13702

**Total            70,642**

\* For Comparison Reference only of other **populations;**

Columbia 69101

Cape        34438

Jeff City 35481

Rolla        8476

