

March 4, 2003

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

Re: Improving Public Safety Communication in the 800 MHz Band and Consolidating
the 900 MHz Industrial/Land Transportation and Business Pool Channels
WT Docket No. 02-55

Dear Chairman Powell:

On August 7, 2002, the Private Wireless Coalition, the public safety community and Nextel filed what has become known as the Consensus Plan to mitigate interference in the 800 MHz band. The Plan was developed further in a Supplemental filing on December 24, 2002, which provided, among other things, an assurance, along with \$150 million from Nextel, that the costs of any necessary retuning by private wireless licensees would be reimbursed, if not provided up front.

All of the signatories below rely on private wireless communications as an integral and vital component of daily business operations and more importantly, for the safety of employees and the public at-large. Moreover, all of the signatories below have made substantial investments in communications equipment and licenses in the 800 MHz band. Based on the need to communicate effectively and the investments in these systems, any final result of this issue will have a serious impact on the signatories below.

We believe the most practical and equitable solution lies in the Consensus Plan. The solution offered by the Consensus Parties is the least disruptive option to the private wireless community, and permits all 800 MHz licensees to remain in this vital band. The minimal costs associated with the retuning are still outweighed by the desired goal of this proceeding – to mitigate the interference experienced by non-cellular licensees at 800 MHz. Unfortunately, no other plan achieves this goal with pro-active solutions designed to protect licensees from future interference or without wholesale legislative changes.

As such, the signatories below support the Consensus Plan in that it achieves the Commission's goal of mitigating interference to non-cellular licensees, while also causing the least amount of disruptions to those who will be affected by changes in the 800 MHz band.

Sincerely,

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