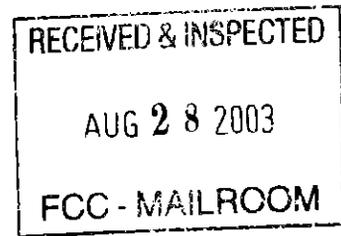


EX PARTE OR LATE FILED



August 21, 2003

ORIGINAL

MIKE THOMAS, MAYOR

Ms Marlene H Dortch
Secretary
Federal Communications Commission
445 12th Street, S W
Washington, D C 20554

**Re: In The Matter Of Improving Public Safety Communications In The
800 MHz Band; WT Docket No. 02-55 (Ex Parte)**

Dear Madam Secretary

The City of Horn Lake is writing to express its opposition to Nextel's so-called "Consensus Plan" and to urge the FCC to adopt the "Balanced Approach," which was filed on May 29, 2003. As discussed below in greater detail, we believe that the Consensus Plan will unnecessarily jeopardize Public Safety communication systems. Instead, the FCC should adopt a solution, such as the Balanced Approach, that does not require Public Safety licensees to relocate and does not reduce their interference protection.

The City of Horn Lake has licensed an 800 MHz communications system, which is used by the Police Department, Fire Department and Emergency Management. The communications system supports a number of the City's activities including acting as the City's backup system when the primary system goes down, which may occur several times a month.

We are concerned that the Consensus Plan's relocation process is extremely complicated and there is no guarantee that Public Safety licensees will be able to continually operate their communications systems during this process. Furthermore, it is unrealistic to expect all Public Safety licensees to relocate in 12 months or less given the complexity of some Public Safety systems.

Also, Public Safety licensees could be subject to more interference because the Consensus Plan protects Public Safety licensees only if they meet certain signal strength and receiver requirements. Because most Public Safety communication systems do not meet these requirements, they will have to expend significant resources to ensure that they are protected from interference. Further, the interference situation could be worse if rebanding is not completed before Nextel's funding runs out.

W. A. Thomas, Mayor

THE CITY OF HORN LAKE

3101 Goodman Road W • Horn Lake, Mississippi 38637 • (662) 280 7420 • Fax (662) 342-3503

Therefore, the City of Horn Lake supports the Balanced Approach, which is superior to the Consensus Plan because it takes pro-active steps to immediately deal with Public Safety interference by relying on technical solutions and increased enforcement. As a result, this proposal is less disruptive and less expensive than the Consensus Plan so Public Safety communications will not be jeopardized. For all the reasons stated above, the City of Horn Lake urges the FCC to adopt the Balanced Approach.

Sincerely,

A handwritten signature in black ink that reads "Mike Thomas". The signature is written in a cursive style with a large initial "M".

Mike Thomas
Mayor