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December 2, 2003

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: WT Docket No. 02-55  
*Ex Parte Presentation*

Dear Ms. Dortch:

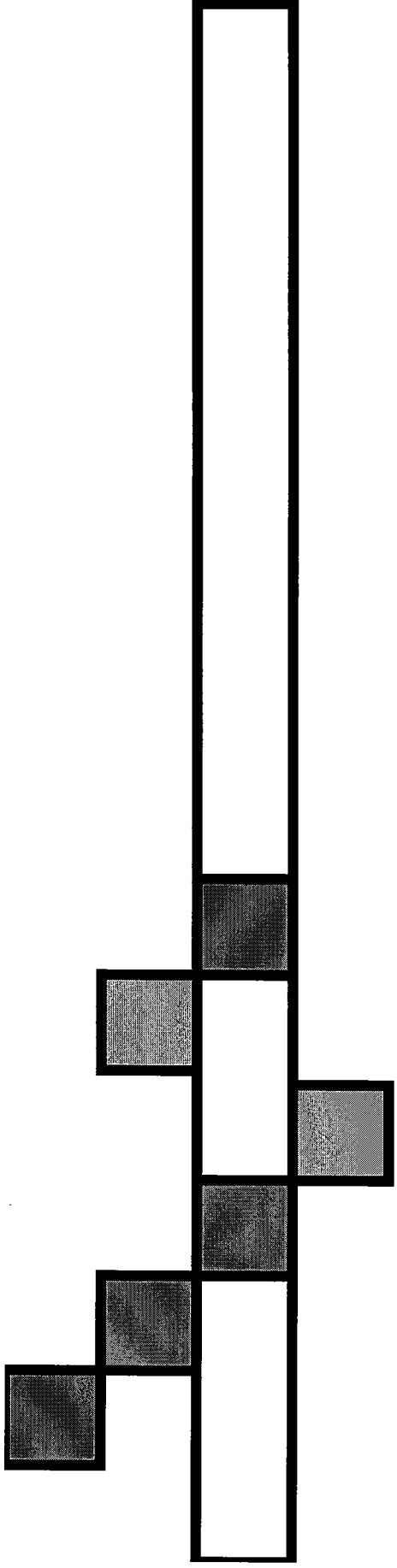
On Monday, December 1, 2003, Lawrence Krevor, Vice President – Government Affairs, Nextel Communications, Inc. (“Nextel”), Dr. Kostas Liopiros, Founder and Principal of the Sun Fire Group, and I met with Barry Ohlson, Legal Advisor for Spectrum and International Issues, Office of Commissioner Adelstein, regarding the Commission’s above-captioned rulemaking on public safety communications in the 800 MHz band. During this meeting, we discussed the study authored by Dr. Liopiros entitled “The Consensus Plan: Promoting the Public Interest – A Valuation Study,” filed with the Commission on Thursday, November 20, 2003. In his study, Dr. Liopiros shows that the demonstrated public interest benefits of the Consensus Plan – including improved public safety communications and elimination of the 800 MHz interference that jeopardizes the lives, safety, and effectiveness of our nation’s first responders – are substantial and recurring. Dr. Liopiros’ study further demonstrates that the spectrum swaps proposed by the Consensus Plan are equitable, and will in no way give any licensee a “windfall” benefit. Attached to this letter is a copy of a slide presentation provided to Mr. Ohlson that presents the key points and findings of Dr. Liopiros’ study.

Pursuant to section 1.1206(b)(2) of the Commission’s rules, 47 C.F.R. § 1.1206(b)(2), this *ex parte* notification and the attachment are being filed electronically for inclusion in the public record of the above-referenced proceeding.

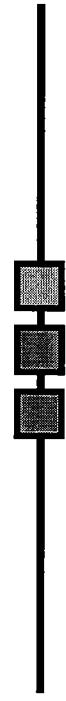
Sincerely,

/s/ Regina M. Keeney  
Regina M. Keeney

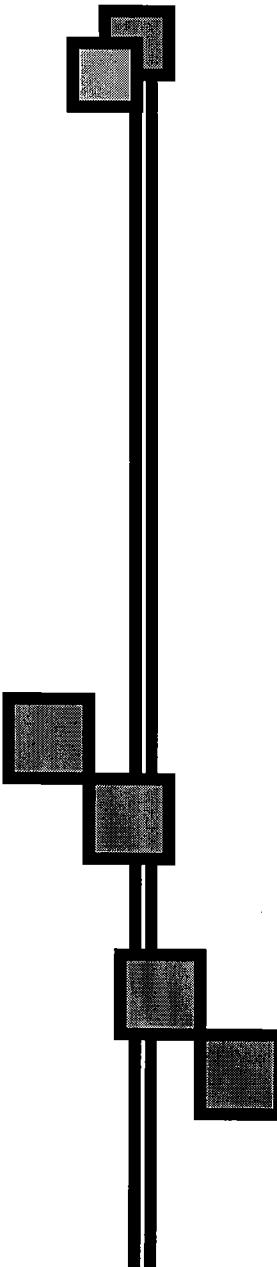
cc: Barry Ohlson



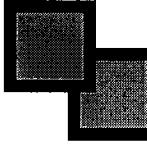
# The Consensus Plan: Promoting the Public Interest A Valuation Study

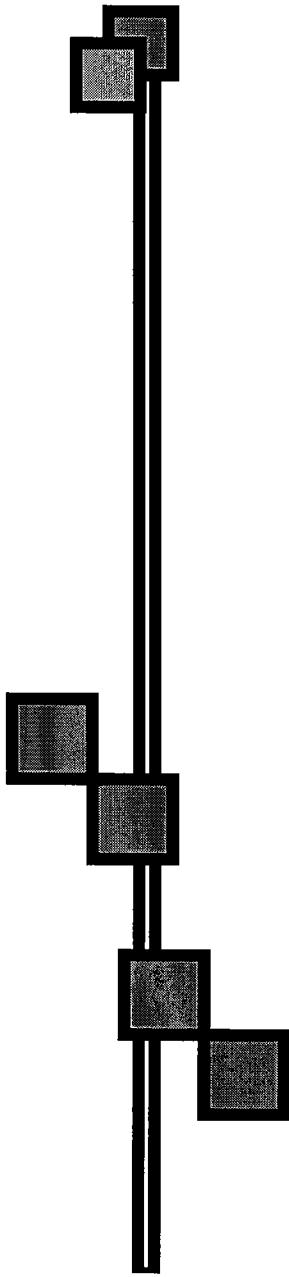


Dr. Kostas Liopiros  
Sun Fire Group LLC  
Alexandria VA 22304  
Prepared for Nextel Communications, Inc  
December 2003

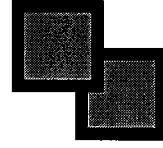


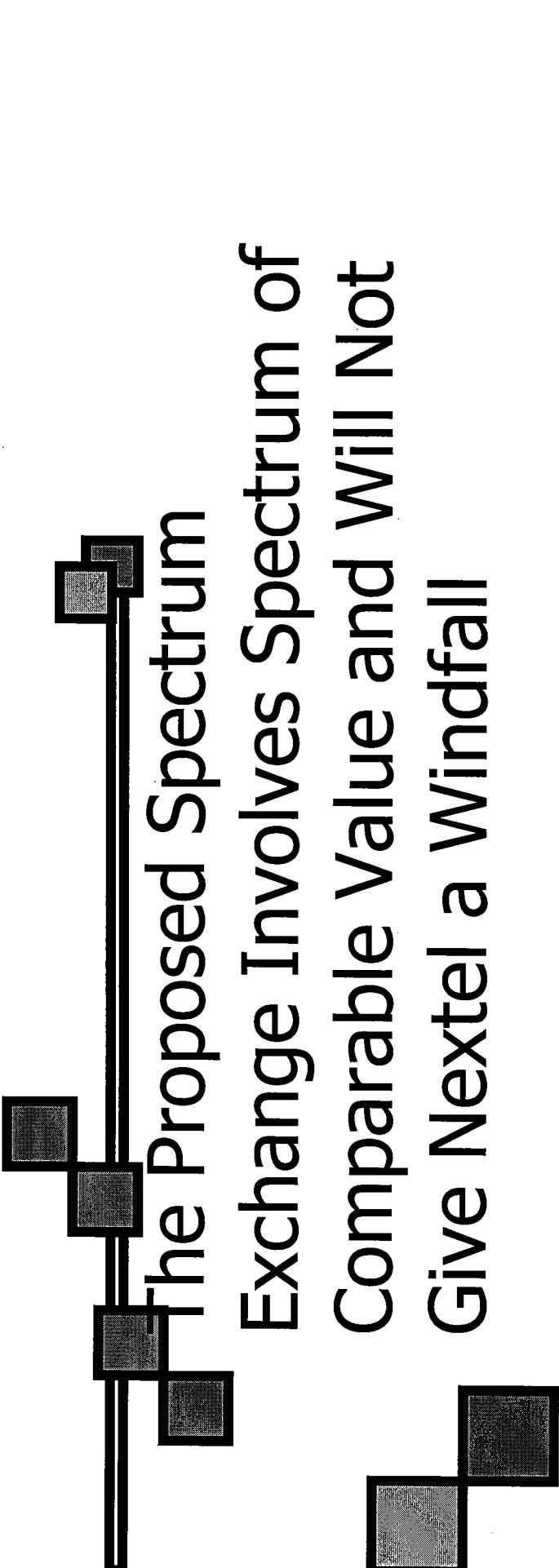
## The FCC Should Focus on the Consensus Plan's Substantial Public Benefits

- Remedyng Interference to Public Safety
  - Ensuring Sufficient Spectrum for Public Safety Communications
  - Americans Demand an Effective Government Response to Public Safety Communications Problems
- 



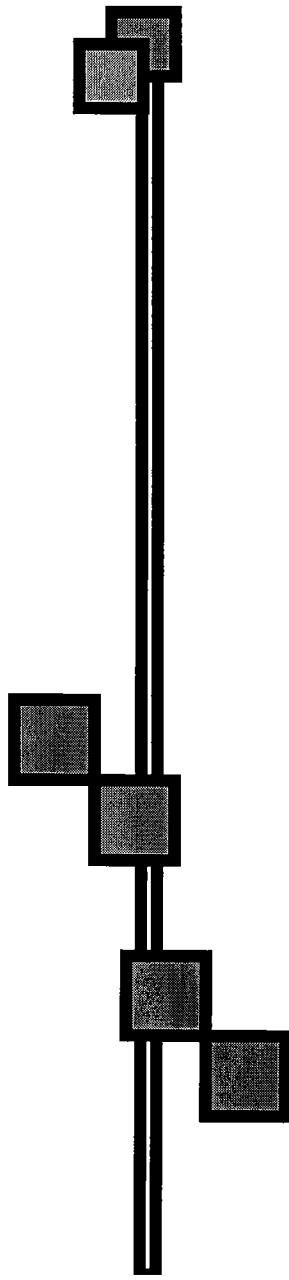
## The Consensus Plan Provides Very Substantial Public Benefits

- Saving Lives
  - Reducing Economic Loss Due to Terrorism, Crime and Other Disasters
  - By Contrast, Case-by-Case Mitigation Would Impose Ongoing Burdens on Public Safety Systems
- 



# The Proposed Spectrum Exchange Involves Spectrum of Comparable Value and Will Not Give Nextel a Windfall

- A "kHz for kHz" Comparison
- Comparison Based on Acquisition Costs and PCS A and B Block Auction Prices
- Comparison Based on Recent Private Transactions

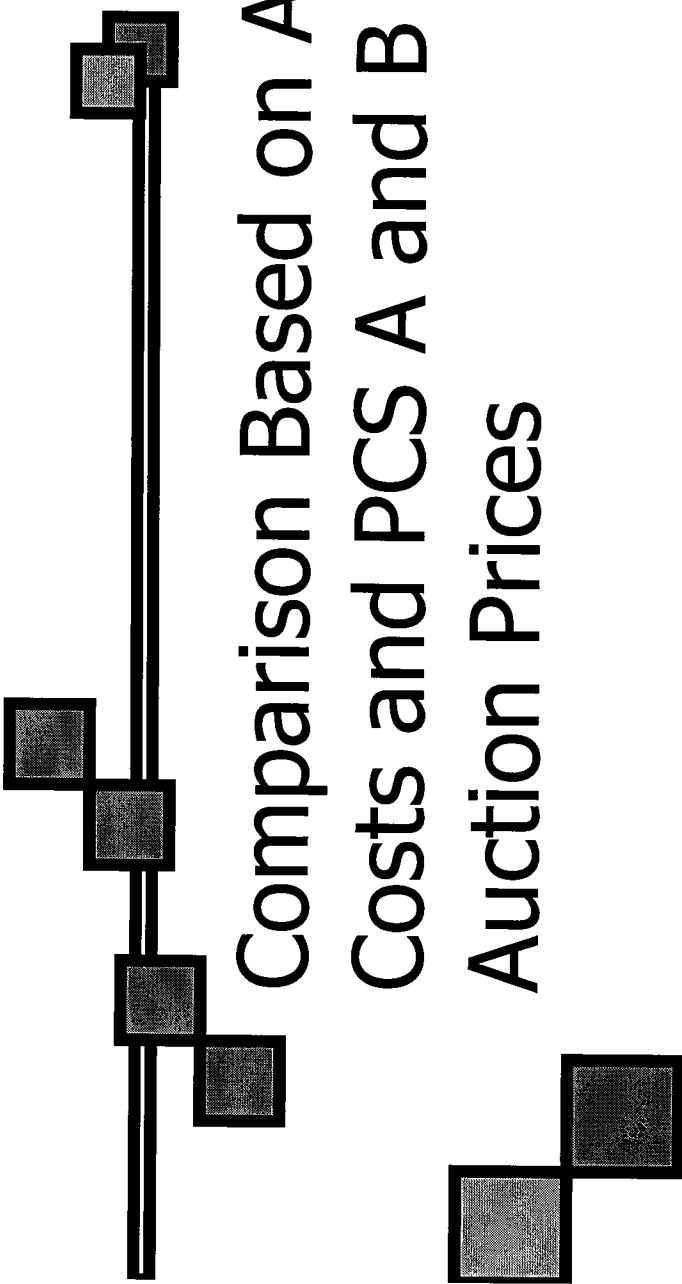


## "kHz for kHz" Comparison

- A Net Loss of Spectrum

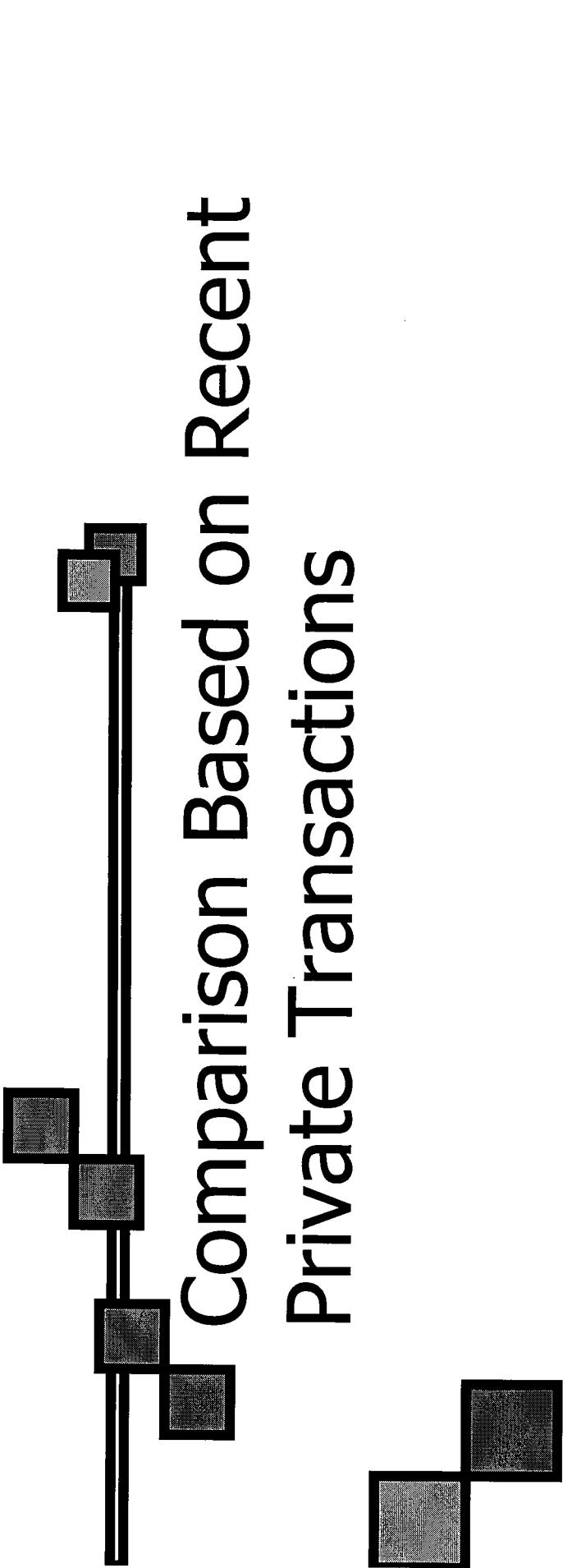
- 10.5 MHz of Spectrum in Exchange for 10 MHz

- A Financial Contribution Over \$1 Billion to Implement the Consensus Plan



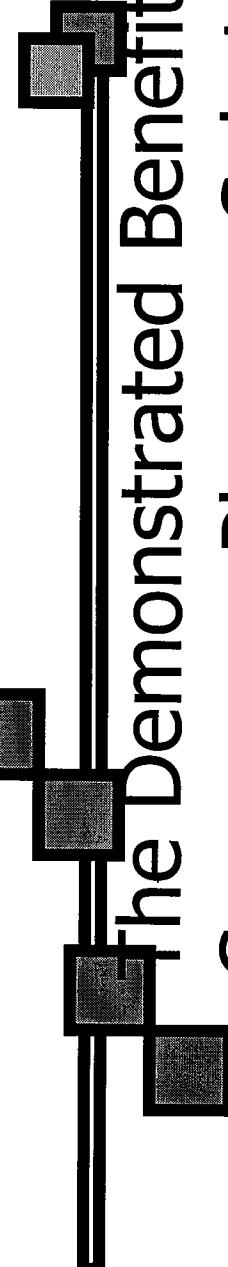
## Comparison Based on Acquisition Costs and PCS A and B Block Auction Prices

- Using acquisition costs and auction prices, the value of the 10.5 MHz Nextel would surrender is *higher* than the value of the 10 MHz of replacement spectrum it would receive
  - Nextel paid approximately \$2 Billion in FCC auctions and private transactions for the 10.5 MHz it would surrender

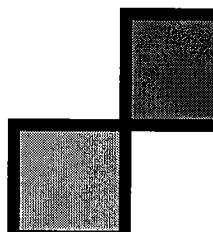


## Comparison Based on Recent Private Transactions

- Using recent private transaction prices, Nextel's Spectrum and Financial Contributions under the Consensus Plan *exceed* the value of the 1.9 GHz replacement spectrum



## The Demonstrated Benefits of the Consensus Plan are Substantial, Recurring and Far Outweigh One-time Implementation Costs



- Eliminating interference that jeopardizes the lives, safety and effectiveness of the nation's first responders
- Improving Public Safety communications
- Spectrum swaps proposed by the Consensus Plan are comparable in value and give no licensee a "windfall"