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VIA ECFS

June 25, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW, Room TW-A325
Washington, DC 20554

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

Dear Ms. Dortch:

A number of letters directed to the Commission by parties interested in the outcome of the above-referenced proceeding are not currently reflected in the Commission's record in this proceeding. With this letter, Verizon Wireless, by its attorney, hereby submits the attached letters and asks that each of them be associated with the official record in this proceeding.

Pursuant to Section 1.1206(b) of the Commission's rules, this letter (along with the attachments hereto) are being filed with your office. Please contact me if you have questions or need additional information.

Respectfully submitted,

/s/
Kathryn A. Zachem

Attachments



The Citizens Crime Commission

1218 Chestnut Street, Suite 408 - Philadelphia, Pa 19107
215-827-8532 Fax 215-827-8530 www.crimcommission.org

John Apeldorn, President Santo Montecalvo, Vice President Arthur F. Shunk, Director of Operations

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

Dear Chairman Powell:

On behalf of The Citizens Crime Commission of the Delaware Valley, we are writing to you concerning a proposal before the Federal Communications Commission (WT Docket 02-55) that addresses interference to public safety communications operation in the 800 MHz band. Although we applaud the FCC in its leadership to address the spectrum-related needs of public safety entities, including police, firefighters and other first responders to operate in an interference-free environment, we urge you to reject the "Consensus Plan" as proposed and consider other alternatives or modifications.

We urge your consideration for a number of reasons. First the Plan does not guarantee funding to cover the significant costs to replace radios and modify existing communications systems. Instead, it proposes a reimbursement process where local law enforcement agencies and fire departments must first incur costs, and after doing so, one would apply for reimbursement. We believe this to be a weak link and to proceed under the current "reimbursement" concept in the Plan will serve to increase budget deficits at the Federal, State and local level.

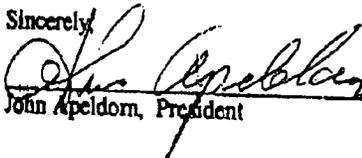
Secondly, we ask you to reject this Plan given its "cap" on relocation funding for public safety. We believe the need to replace the radios that will be rendered obsolete by the Plan's massive spectrum realignment, forcing public safety communications to new channels, will far exceed the Plan's projected budget of \$700 million.

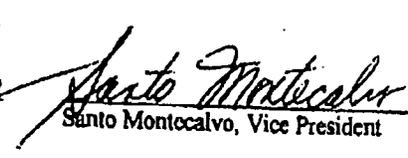
Third, we are concerned about the significant realignment under way across the nation. Shouldn't the FCC require the parties who are causing the interference to eliminate it where it occurs? We request you, in your leadership role, to seriously consider less costly alternatives.

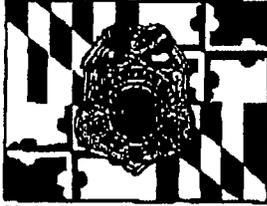
Lastly, we believe that neither Nextel's competitors in the wireless industry nor the Citizens Crime Commission of the Delaware Valley believe that the FCC should financially compensate one company, Nextel, for its cooperation in fixing problems of its own creation. The FCC should not support a plan that provides such funding to one commercial entity at a cost to taxpayers. The Commission should move forward to auction the 1.9 GHz spectrum for the fiscal benefit of the government and to improve service offerings for consumers.

On behalf of the citizens we all vow to protect in our respective positions, we appreciate your attention to this matter and again, strongly urge you to consider an alternative to the Nextel Consensus Plan.

Sincerely,


John Apeldorn, President


Santo Montecalvo, Vice President



Since 1961

MARYLAND CHIEFS OF POLICE ASSOCIATION

June 10, 2004

P.O. Box 4686
Largo, MD 20775
Phone: (301) 218-1745
Fax: (301) 218-1746

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
455 12th St., SW
Washington, D.C. 20554

Re: Public Safety Communications

President

G. Wayne Livesay
Chief of Police
Howard County, MD

1st Vice President

Fred Koency
Chief of Police
Mt Rainier, MD

2nd Vice President

Douglas DeLeaver
Chief of Police
Maryland Transit
Administration Police

Sergeant-at-Arms

Douglas Holland
Chief of Police
Hyattsville, MD

Immediate Past President

James R. Craze
Chief of Police
Greenbelt, MD

Executive Director

Morris A. Lewis
Retired Chief of Police

Counsel

Mark G. Spurrier, Esq.

Dear Chairman Powell:

We understand that you are considering the Nextel "Consensus Plan" and the CTIA compromise plan to address public safety communications issues. After reviewing both plans, it appears that Nextel's plan is not in the best interest of local police departments in that it imposes an unfunded mandate on local police with a reimbursement process that is not well defined nor guaranteed, and, it caps funding at a level far below any reasonable estimate for relocation and realignment.

The CTIA compromise plan corrects each of these deficiencies and is preferable to the Nextel plan. We urge the Commission to adopt the CTIA plan because doing so is clearly in best interests of public safety. Some of the key advantages of the CTIA plan include: 1) \$3 B for incumbent relocation, 2) Independent trustee manages the fund, and 3) Independent Trustee decides when Nextel pays and when disbursements are made to public safety.

The CTIA plan has funding levels, which are more in line with the needs of public safety, and has enforceable milestones for Nextel to meet prior to obtaining grants of spectrum. We understand that the plan grants Nextel the 2.1 GHz spectrum they requested in the original "Consensus Plan" and does not implicate bands, which are likely to cause the wireless industry to litigate. It is important that public safety have certainty in any plan the FCC adopts.

For all of these reasons we respectfully ask that you adopt the CTIA plan.

Sincerely,


Chief G. Wayne Livesay
President

GWL:jc

cc: Commissioner Kevin Martin
Commissioner Kathleen Abernathy
Commissioner Jonathan Adelman
Commissioner Michael Copps

Mission Statement

"To unite law enforcement executives in delivering innovative, high-quality police services."

BUCKS COUNTY SHERIFF'S DEPARTMENT

EDWARD J. DONNELLY
SHERIFF
WILLIAM T. DALTON
CHIEF DEPUTY
WILLIAM L. GOLDMAN, JR.
SOLICITOR



Bucks County Courthouse
Doylestown PA 18901
(215) 348-6124
(215) 348-6138

June 3, 2004

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

Dear Chairman Powell:

On behalf of the Bucks County Sheriff's Office, I am writing to you concerning a proposal before the Federal Communications Commission (WT Docket 02-55) that addresses interference to public safety communications operating in the 800 MHz band. Although we applaud the FCC in its leadership to address the spectrum-related needs of public safety entities, including police, firefighters and other first responders to operate in an interference-free environment, we urge you to reject the "Consensus Plan" as proposed and consider other alternatives or modifications.

We urge your consideration for a number of reasons. First, the Plan does not guarantee funding to cover the significant costs to replace radios and modify existing communications systems. Instead, it proposes a reimbursement process where local law enforcement agencies and fire departments must first incur costs, and after doing so, one would apply for reimbursement. We believe this to be a weak link and to proceed under the current "reimbursement" concept in the Plan will serve to increase budget deficits at the Federal, State and local level.

Secondly, we ask you to reject this Plan given its "cap" on relocation funding for public safety. We believe the need to replace the radios that will be rendered obsolete by the Plan's massive spectrum realignment, forcing public safety communications to new channels, will far exceed the Plan's projected budget of \$700 Million.

Third, we are concerned about the significant realignment under way across the nation. Shouldn't the FCC require the parties who are causing the interference to eliminate it where it occurs? We request you, in your leadership role, to seriously consider less costly alternatives.

Lastly, we believe that neither Nextel's competitors in the wireless industry nor the Bucks County Sheriff's Office, as a taxpayer, believe that the FCC should financially compensate one company, Nextel, for its cooperation in fixing problems of its own creation. The FCC should not support a plan that provides such funding to one commercial entity at a cost to taxpayers. The Commission should move forward to auction the 1.9 GHz spectrum for the fiscal benefit of the government and to improve service offerings for consumers.

On behalf of the citizens we all vow to protect in our respective positions, we appreciate your attention to this matter and again, strongly urge you to consider an alternative to the Nextel Consensus Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward J. Donnelly".

Edward J. Donnelly
Sheriff

*The Association of
CHIEFS OF POLICE
Essex County, New Jersey
P.O. Box 1592
West Caldwell, NJ 07006*



June 17, 2004

*The Honorable Michael K. Powell
Chairman
Federal Communications Commission
455 12th Street, SW
Washington, DC 20500*

Dear Chairman Powell:

On behalf of the Essex County Chiefs of Police Association which represents in excess of 30 State, County and Municipal Law Enforcement Agencies, I, West Orange, New Jersey Police Chief James P. Abbott, have been selected by my colleagues to be our Communications Liaison.

I am writing to express my concerns about a proposal (WT Docket 02-55) Nextel now has before your commission. As you know, Nextel's frequencies have for some time interfered with the transmission capabilities of police and other emergency personnel. Nextel's response to this has been sporadic and in most cases unsuccessful.

Now, it is proposing to fix these problems in exchange for bypassing the traditional auction process for available spectrum required by the Communications Act. It is my understanding that another company - Northpoint - tried a similar no-bid spectrum auction which Congress and the FCC opposed.

Nextel's proposal has several disturbing parts to it. First, it undercuts the U.S. Treasury as much as several billion dollars at a time when the country is running deficits in the millions of dollars. It also rewards Nextel for its longtime inaction on this public safety issue.

The FCC and if necessary Congress, should direct Nextel to fix a problem it has created with the technology the company uses using the 800 MHz rebanding plan endorsed by the public safety community - with no strings attached. This would avoid the "pay later" pitfalls that are inherent in Nextel's plan. Secondly, the FCC should take its normal path for releasing available spectrum through a public auction in which all telecommunications companies could compete and the government would receive fair market value for the spectrum.

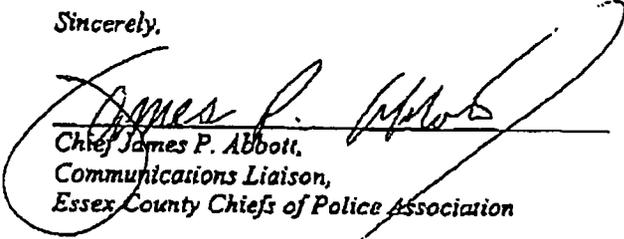
June 17, 2004

Page 2

This plan does not have the support of local public safety organizations, the Fraternal Order of Police or the Federal Law Enforcement Officers Association. More disturbing are some of the high-profile advocates of this plan who will benefit through stock options that will be worth millions if this plan goes through.

I appreciate your attention to this matter and trust you will do what is right in the interest of the public safety community, the citizens who depend on that community and the American taxpayers who will bear the cost of giving away discounted spectrum to Nextel.

Sincerely,



Chief James P. Abbott,
Communications Liaison,
Essex County Chiefs of Police Association

JPA:kaa



June 11, 2004

Mark A. Toomey
Chief of Police

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

Dear Chairman Powell:

On behalf of the Hatfield Township Police Department, I am writing to you concerning a proposal before the Federal Communications Commission (WT Docket 02-55) that addresses interference to public safety communications operating in the 800 MHz band. Although we applaud the FCC in its leadership to address the spectrum-related needs of public safety entities, including police, firefighters and other first responders to operate in a interference-free environment, we urge you to reject the "Consensus Plan" as proposed and consider other alternatives or modifications.

We urge your consideration for a number of reasons. Primarily, the Plan does not guarantee funding to cover the significant costs to replace radios and modify existing communications systems. Instead, it proposes a reimbursement process where local law enforcement agencies and fire departments must first incur costs, and after doing so, one would apply for reimbursement. We believe this to be a weak link and to proceed under the current "reimbursement" concept in the Plan will serve to increase budget deficits at the Federal, State and local level.

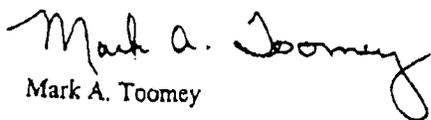
We ask you to reject this Plan given its "cap" on relocation funding for public safety. We have learned from research that radios will be rendered obsolete by the Plan's massive spectrum realignment, forcing public safety communications to new channels. Replacement of existing radios will far exceed the Plan's projected budget of \$700 Million.

We are also concerned about the significant realignment under way across the nation. Shouldn't the FCC require the parties who are causing the interference to eliminate it where it occurs? We request you, in your leadership role to seriously consider less costly alternatives.

Lastly, neither Nextel's competitors in the wireless industry nor individual tax payers believe that the FCC should financially compensate one company, Nextel, for its cooperation in fixing problems of its own creation. The FCC should not support a plan that provides such funding to one commercial entity at a cost to taxpayers. The Commission should move forward to auction the 1.9 GHz spectrum for the fiscal benefit of the government and to improve service offerings for consumers.

On behalf of the citizens we vow to protect in our respective positions, we appreciate your attention to this matter and again, strongly urge your to consider an alternative to the Nextel Consensus Plan.

Sincerely,


Mark A. Toomey

**LANSDALE BOROUGH POLICE DEPARTMENT**

35 Vine Street Lansdale, Pennsylvania 19446 215-368-1801

JOSEPH S. MCGURIMAN

Chief of Police

June 3, 2004

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

Dear Chairman Powell:

I am writing to you concerning a proposal before the Federal Communications Commission (WT Docket 02-55) that addresses interference to public safety communications operating in the 800 MHz band. Although I applaud the FCC in its leadership to address the spectrum-related needs of public safety entities, including police, firefighters, and other first responders to operate in an interference-free environment, I urge you to *reject* the "Consensus Plan" as proposed and consider other alternatives or modifications.

I urge your consideration for a number of reasons. First, the Plan does not guarantee funding to cover the significant costs to replace radios and modify existing communication systems. Instead, it proposes a reimbursement process where local law enforcement agencies and fire departments must first incur costs, and after doing so, one would apply for reimbursement. The current "reimbursement" concept in the Plan will likely serve to increase budget deficits at the Federal, State, and local level.

Secondly, I believe the cost incurred of forcing public safety communications to new channels will exceed the Plan's projected budget of \$700 million. Third, I am concerned about the significant realignment underway across the nation. The FCC should require the parties who are causing the interference to eliminate it where it occurs. Please consider less costly alternatives.

Lastly, I don't believe that the FCC should financially compensate one company, Nextel, for its cooperation in fixing problems that it helped to create. The FCC should not support a plan that provides such funding to one commercial entity at a cost to taxpayers.

I appreciate your attention to this matter, and again, strongly urge you to consider an alternative to the Nextel Consensus Plan.

Sincerely,

Joseph S. McGuriman
Chief of Police



KENNETH D. COLUZZI
CHIEF OF POLICE

LOWER MAKEFIELD POLICE
1100 EDGEWOOD ROAD
YARLEY, PENNSYLVANIA 19087
(215) 493-4055

June 14, 2004

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

Re: WT Docket 02-55

Dear Chairman Powell:

I am writing to you concerning a proposal before the Federal Communications Commission that addresses interference to public safety communications operating in the 800 MHz band. Although we applaud the FCC in its leadership to address the spectrum-related needs of public safety entities, including police, firefighters and other first responders to operate in an interference-free environment, we urge you to *reject* the "Consensus Plan" as proposed and consider other alternatives or modifications.

The Plan does not guarantee funding to cover the significant costs to replace radios and modify existing communications systems. Instead, it proposes a reimbursement process where local law enforcement agencies and fire departments must first incur costs, and after doing so, one would apply for reimbursement. To proceed under the current "reimbursement" concept in the Plan will serve to increase budget deficits at the Federal, State and local level.

I also ask you to reject this Plan given its "cap" on relocation funding for public safety. We believe the need to replace the radios that will be rendered obsolete by the Plan's massive spectrum realignment, forcing public safety communications to new channels, will far exceed the Plan's projected budget of \$700 Million.

I am concerned about the significant realignment under way across the nation. The FCC should require the parties who are causing the interference to eliminate it where it occurs. Please consider less costly alternatives.



DEPARTMENT OF POLICE
CHIEF'S OFFICE

647 Bloomfield Avenue
Montclair, New Jersey 07042-2887



David P. Sabagh
Chief of Police

Telephone: 973-509-4703
Facsimile: 973-744-5173
e-mail: dsabagh@montclairnjsa.org

June 15, 2004

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
455 12th Street, SW
Washington, DC 20500

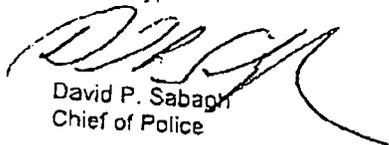
Dear Chairman Powell:

As chief of the Montclair Police Department, I am writing to express my concerns about a proposal (WT Docket 02-55) Nextel now has before your commission. As you know, Nextel's frequencies have for some time interfered with the transmission capabilities of police and other emergency personnel. I am pleased however to see public safety agencies come together to address this very important issue and believe that the FCC should act quickly to address the interference problems.

The FCC, and if necessary Congress, should direct Nextel to fix a problem it has created with the technology the company uses using the 800 MHz rebanding plan endorsed by the public safety community. Secondly, the FCC should take its normal path for releasing available spectrum through a public auction in which all telecommunications companies could compete and the government would receive fair market value for the spectrum.

I appreciate your attention to this matter and trust you will do what is right in the interest of the public safety and for all those that rely on our services.

Sincerely,


David P. Sabagh
Chief of Police



OFFICE OF THE SHERIFF

JOHN P. DURANTE
SHERIFF

ALFRED J. RICCI
CHIEF DEPUTY

CHARLES P. DISANTO
CAPTAIN

COUNTY OF MONTGOMERY
COURT HOUSE
P.O. BOX 311
NORRISTOWN, PENNSYLVANIA
19404-0311

SHERIFF OFFICE DAY: 610-278-3331
NIGHT: 610 276-1222
FAX: 610-278-3832

June 3, 2004

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

Dear Chairman Powell:

On behalf of the Montgomery County Sheriff Department, I am writing to you concerning a proposal before the Federal Communications Commission (WT Docket 02-55) that addresses interference to public safety communications operating in the 800 MHz band. Although we applaud the FCC in its leadership to address the spectrum-related needs of public safety entities, including police, firefighters and other first responders to operate in an interference-free environment, we urge you to *reject* the "Consensus Plan" as proposed and consider other alternatives or modifications.

We urge your consideration for a number of reasons. First, the Plan does not guarantee funding to cover the significant costs to replace radios and modify existing communications systems. Instead, it proposes a reimbursement process where local law enforcement agencies and fire departments must first incur costs, and after doing so, one would apply for reimbursement. We believe this to be a weak link and to proceed under the current "reimbursement" concept in the Plan will serve to increase budget deficits at the Federal, State and local level.

Secondly, we ask you to reject this Plan given its "cap" on relocation funding for public safety. We believe the need to replace the radios that will be rendered obsolete by the Plan's massive spectrum realignment, forcing public safety communications to new channels, will far exceed the Plan's projected budget of \$700 Million.

**COUNTY OF MONTGOMERY
OFFICE OF THE SHERIFF**

Page 2

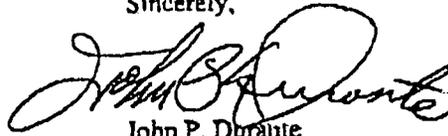
Honorable Michael K. Powell
June 3, 2004

Third, we are concerned about the significant realignment under way across the nation. Shouldn't the FCC require the parties who are causing the interference to eliminate it where it occurs? We request you, in your leadership role, to seriously consider less costly alternatives.

Lastly, we believe that neither Nextel's competitors in the wireless industry nor the Montgomery County Sheriff Department, as a taxpayer, believe that the FCC should financially compensate one company, Nextel, for its cooperation in fixing problems of its own creation. The FCC should not support a plan that provides such finding to one commercial entity at a cost to taxpayers. The Commission should move forward to auction the 1.9 GHz spectrum for the fiscal benefit of the government and to improve service offerings for consumers.

On behalf of the citizens we all vow to protect in our respective positions, we appreciate your attention to this matter and again, strongly urge you to consider an alternative to the Nextel Consensus Plan.

Sincerely,



John P. Durante
Sheriff

**PASSAIC COUNTY SHERIFF'S DEPARTMENT
BUREAU OF LAW ENFORCEMENT**

SHERIFF
Jerry Speziale

Executive Officer
UNDERSHERIFF

435 Hamburg Turnpike
Wayne, New Jersey 07470
973-389-5900

UNDERSHERIFFS,
Jerry Gamble
Milton Smilek
Alfred Steele

CHIEF
John M. Comparetto



The Honorable Michael K. Powell
Chairman
Federal Communications Commission
455 12th Street SW
Washington, DC 20500

Dear Chairman Powell:

As Undersheriff of Passaic County Sheriff's Department, I am writing to express my concerns about a Proposal (WT Docket 02-55) Nextel now has before your commission. As you know, Nextel's Frequencies have for some time interfered with the transmission capabilities of police and other emergency Personnel. Nextel's response to this has been sporadic and, in most cases, unsuccessful.

Now, it is proposing to fix these problems in exchange for bypassing the traditional auction process for Available spectrum required by the Communications Act. It is my understanding that another company Northpoint - tried a similar no-bid spectrum auction which Congress and the FCC opposed.

Nextel's proposal has several disturbing parts to it. First, it undercuts the U.S. Treasury as much as several billion at a time when the country is running deficits in the trillions of dollars. It also rewards Nextel for its longtime inaction on the public safety issue.

The FCC, and if necessary Congress, should direct Nextel to fix a problem it has created with the technology the company uses the 800 MHz rebanding plan endorsed by the public safety community with no strings attached. This would avoid the "pay later" pitfalls that are inherent in Nextel's plan. Secondly, the FCC should take its normal path for releasing available spectrum through a public auction in which all telecommunication companies could compete and the government would receive fair market value for the spectrum.

This plan does not have the support of local public safety organizations the Fraternal Order of Police for the Federal Law Enforcement Officers Association. More disturbing are some of the high-profile advocated of this plan who will benefit through stock options that will be worth millions if this plan goes through.

**PASSAIC COUNTY SHERIFF'S DEPARTMENT
BUREAU OF LAW ENFORCEMENT**

SHERIFF
Jerry Speziale

**Executive Officer
UNDERSHERIFF**

*435 Hamburg Turnpike
Wayne, New Jersey 07470
973-389-5900*

UNDERSHERIFFS
Jerry Gamble
Milton Smilek
Alfred Steele

CHIEF
John M. Comparetto



I appreciate your attention to this matter and trust you will do what is right in the interest of the public safety community, the citizens who depend on that community and the American taxpayers who will bear the cost of giving away discounted spectrum to Nextel.

Sincerely,

Jerry Gamble
Undersheriff



OFFICE OF THE SHERIFF Prince George's County, Maryland

Michael A. Jackson
Sheriff

June 3, 2004

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
455 12th St., SW
Washington, DC 20554

Re.: Public Safety Communications

Dear Chairman Powell,

As the Prince George's County Sheriff, I work in law enforcement and have done so for many years. Therefore, I am very familiar with the public safety communications issues. The availability of spectrum and funding for public safety are always issues.

I understand that you are considering two separate plans to address some public safety communications concerns; (1) The Nextel "Consensus Plan" and (2) The Cellular Telecommunications & Internet Association (CTIA) compromise plan. The Nextel plan appears problematic since it imposes an unfunded mandate on local law enforcement and it adopts a burdensome reimbursement scheme orchestrated by a private funding source.

It is my understanding that the CTIA compromise plan corrects each of these deficiencies. For example, the most significant advantage to the CTIA plan is that an independent trustee manages the fund and decides when Nextel pays and when disbursements are made to public safety. The CTIA plan also appears to have enforceable milestones that must be met prior to obtaining grants of spectrum.

It is important that public safety have certainty in any plan the FCC adopts. Therefore, I urge the Commission to adopt the CTIA plan because doing so is in best interests of public safety.

Sincerely,

Michael A. Jackson
Sheriff

cc: Commissioner Kevin Martin
Commissioner Kathleen Abernathy
Commissioner Jonathan Adelstein
Commissioner Michael Copps

P.O. Box 548, Upper Marlboro, Maryland 20773 (301) 883-7000
FAX: (301) 883-6952

C O U N C I L F O R



Thomas A. Schatz
President

March 2, 2004

House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington D.C. 20515

Dear Committee Members:

On behalf of the one million members and supporters of the Council for Citizens Against Government Waste (CCAGW), I am writing to express our opposition to the Nextel Consensus Plan that is currently before the Federal Communications Commission (FCC). While the plan purports to solve a public safety issue, it really is an attempt to obtain contiguous blocks of valuable spectrum at no cost while subverting the auction process. As the FCC falls within your jurisdiction, we ask that you contact Commissioner Michael Powell and encourage him to reject the Nextel plan.

Currently, Nextel uses fragmented, non-nationwide spectrum in the 700, 800 and 900 MHz bands, which would bring at auction approximately \$1.2 billion. Utilizing these bands has caused interference with public safety radio systems which operate in the 800 MHz band. Nextel has proposed that it will vacate its various spectrum bands in an "even" exchange for 10 MHz of prime nationwide spectrum in the valuable 1.9 GHz band. The value of this contiguous spectrum has been estimated to be worth as much as \$7 billion and if sold at auction it would be a major win for the taxpayers. It is ironic that this plan could give Nextel nearly a \$5 billion windfall to "correct" an interference problem it caused in the first place.

While Nextel proposes to pay \$700 million cost to help relocate public safety bands elsewhere, the carrier admits in its FCC filing that its plan would not eliminate all the interference. In addition, that amount is less than half of the estimated \$1.5 – \$2.5 billion that may be needed to remedy the interference problems.

Since Congress gave the FCC the authority to use competitive bidding or auctions for the electromagnetic spectrum, this process has returned some \$14.4 billion for the taxpayers since 1994. It is imperative that this process continues. We ask that your committee encourage Commissioner Powell to review all the plans before him concerning the safety problems in the 700, 800, 900 MHz band widths and to keep the taxpayer's interest paramount before any decisions are made. Considering the size of the deficit, the government cannot afford to give away such a valuable asset as the spectrum.

Sincerely,

1301 Connecticut Avenue, N.W.
Suite 400
Washington, D.C. 20036
202-467-5300