vacant in Charleston, South Carolina -- a major economic center in the Carolinas located between Atlanta and a number of North Carolina cities where digital SMR service is likely to develop. One hundred thirty-five channels are available in Corpus Christi, Texas, another valuable market given its proximity to Houston and other Gulf Coast industrial centers. Entrepreneurs should submit

strategic proximity to future digital SMR service and the presence of major interstate highways, an air hub and other economic activities in the Pittsburgh area. Auctioning off an innovator block of 42 frequencies in Pittsburgh would provide an effective catalyst to accelerate the introduction of digital SMR service.

SMRs in the 1990s must build systems that will provide both current and future capacity for their customers and that can complement and be integrated with the major market enhanced digital SMR systems already being constructed. Digital SMR service is

VI. COMPETITIVE BIDDING OFFERS THE MOST EFFICACIOUS LICENSING MECHANISM FOR ACCELERATING THE NATIONWIDE INTRODUCTION OF 800 MHZ DIGITAL SMR SYSTEMS

A. A Competitive Bidding Pilot Program Is In The Public Interest

There has been lengthy spirited public debate about the appropriateness of using auctions to license communications systems. Fleet Call believes that the economics of promoting the

adopting regulatory incentives to place this spectrum into productive use and generate substantial funds for the United States Treasury.

In contrast, existing licensing mechanisms are likely to delay the introduction of advanced SMR systems using the innovator blocks and inhibit the development of nationwide SMR service capabilities.

on a "first-come, first-served" basis. As Attachment A demonstrates, however, almost no one came in many of the smaller

a traditional, local SMR system. There are also existing licensees in these markets who would continue to provide SMR services. Fleet Call is proposing additional licensing choices for SMR entrepreneurs to promote the efficacious use of vacant spectrum.

B. Legal Basis

In 1982, Congress amended Section 332 of the Communications Act of 1934, as amended, (the "Act") to, among other things, provide guidelines for the Commission to follow in managing spectrum available to the private land mobile services. Congress

among mutually exclusive applicants for the 800 MHz SMR innovator blocks.47/ The private land mobile spectrum management guidelines of Section 332 are not being realized in the smaller markets under the existing regulatory environment. Creating incentives for introducing improved digital SMR services, linking enhanced SMR systems to provide better coverage, providing additional services and promoting competition in the secondary markets -- and making entrepreneurs compete for such authorizations -- would be fully consistent with Section 332's mandate to improve spectrum efficiency, encourage competition and provide private land mobile services to the largest feasible number of users. Moreover, particularly where SMRs provide the only means of mobile communications, such action would also promote the safety of life

proceeding to establish the necessary implementing rules and policies.

C. Innovator Block Licensing Implementation Policies

Once the available geographic areas and innovator blocks are identified, the Commission would give public notice that sealed competitive bids may be submitted for such areas. This could be done using a one-day nationwide filing window or, alternatively, a series of regional auctions. A regional approach would have the advantage of allowing entrepreneurs to prioritize their business plans regionally and to know the markets in which they have been selected in a region before bidding on markets in the next region. The Commission may find a series of regional auctions easier to manage than a one-day nationwide filing. Fleet Call suggests that the Commission solicit comments on this issue.

Prospective bidders could submit a single aggregate or "lump sum" proposal combining several discrete licensing areas or could make individual bids for each area. The ability to cumulate licensing areas would increase their potential value and obviate the need for minimum bid requirements. If the lump sum proposal is

After submission of the bids, the Commission would issue a public notice announcing selection of the highest qualified bidder. The Commission would, of course, independently review the application including ascertaining that it is bona fide; i.e., that the applicant can pay its bid as described above. If the Commission determines that grant of the selectee's application is not consistent with the public interest, convenience and necessity, the next highest bidder would automatically become the selectee and be subject to the same review process.

The Commission should also adopt special rules governing construction and operation of innovator block SMR systems. First, licensees should be required to construct and place in operation base stations providing service to 75 percent of either the population or the geographic area of an MSA within 60 months of the date the license was granted, including constructing and operating an initial base station or stations within 18 months of the license grant. Second, licensees should be required to adopt a system architecture that enables roaming and interoperability with neighboring and nearby major market digital SMR systems and to enter into nationwide roaming agreements.48/ Third, applicants should be required to implement a digital system technology at least six times more efficient than existing trunked analog SMR systems. This would assure that applicants build spectrally-

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48/ The Commission need not specify compatibility requirements with other SMR systems. Marketplace factors will assure that secondary market licensees build systems that are compatible with and can provide roaming capability with nearby SMR systems.

efficient systems in the secondary markets.

Finally, the co-channel interference requirements of Section 90.621 of the Commission's Rules should apply to secondary market systems: i.e., co-channel base stations should be located in

inevitable. This Petition asks the Commission to accelerate the SMR industry's progress to the next great development in private radio communications -- the introduction of ubiquitous highly efficient digital technology and the creation of a seamless digital nationwide network. Large blocks of 800 MHz spectrum in the secondary markets have been fallow for more than ten years. With the right regulatory incentives, entrepreneurs will bid for

Commission revise its rules to license blocks of unassigned 800 MHz spectrum as discussed herein and to obtain Congressional authority to adopt competitive bidding procedures to facilitate the creation of a nationwide digital SMR network.

Respectfully submitted,

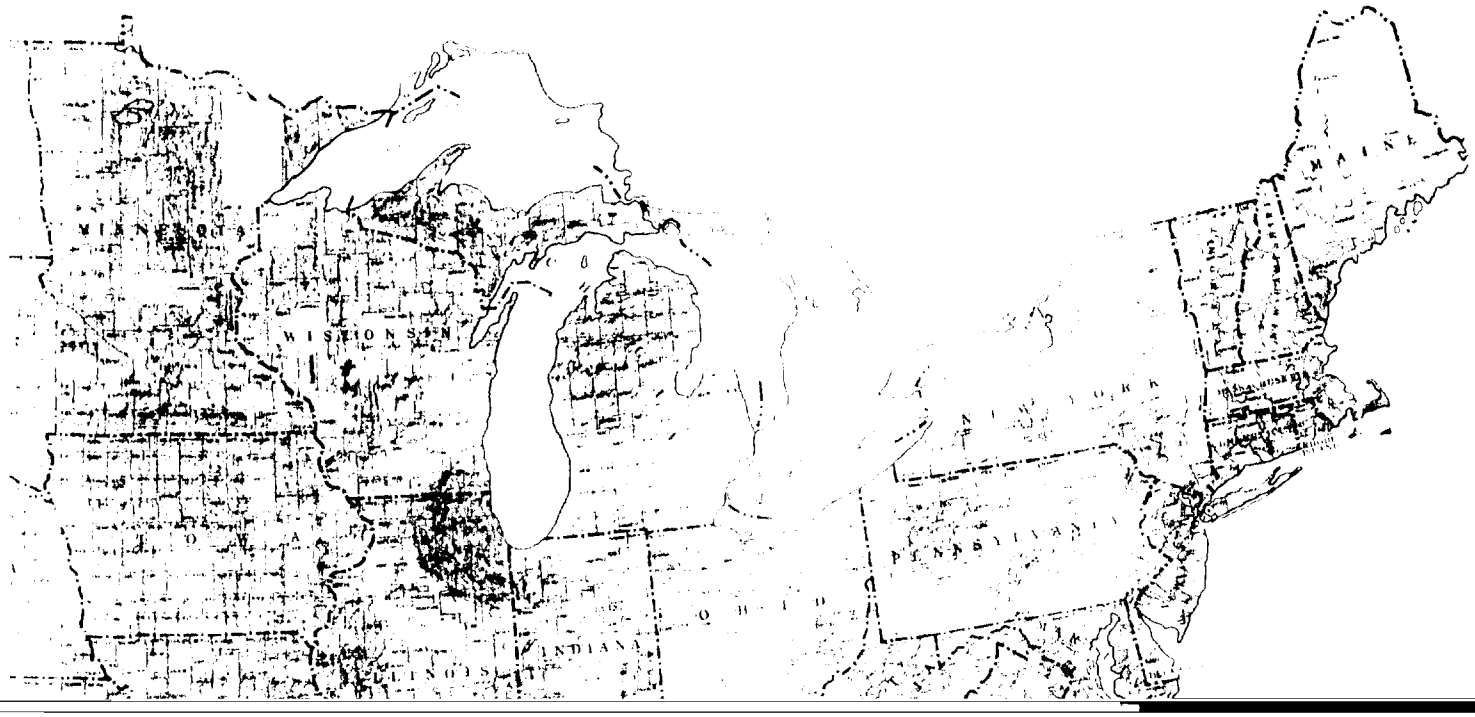
[redacted]

A

ATTACHMENT A

MAP

IONWIDE SMR SYSTEM



EVOLUTION OF NATI

B

ATTACHMENT B

MSAs With Vacant Spectrum for Innovator Blocks

ATTACHMENT B

I. MSAs With 105 or More Vacant 800 MHz Trunked SMR Frequencies

II. MSAs With 84-104 Vacant 800 MHz Trunked SMR Frequencies

III. MSAs With 63-83 Vacant 800 MHz Trunked SMR Frequencies

IV. MSAs With 42-62 Vacant 800 MHz Trunked SMR Frequencies

EXHIBIT B (I)

MSAs WITH 105 OR MORE VACANT
290 MHz TRUNKED CMR FREQUENCIES

EXHIBIT B (I)
(cont.)

MSAs WITH 105 OR MORE VACANT
800 MHz TRUNKED SMR FREQUENCIES

MSA and Population (000)	Number of Vacant Frequencies
Shreveport, LA (426)	177
Saginaw - Bay City - Midland, MI (419)	216
Augusta, GA (417)	198
Jackson, MS (405)	149
Des Moines, IA (387)	111
Huntsville, AL (387)	160
Lexington-Fayette, KY (386)	113
Davenport-Moline, IA (382)	110
Corpus Christi, TX (377)	135
Spokane, WA (376)	177
Pensacola, FL (368)	180
Huntington, WV - Ashland, OH (335)	225
Evansville, IN (324)	215
Binghamton, NY (314)	196
Macon, GA (314)	128
Utica, NY (312)	167
Montgomery, AL (308)	224
Appleton - Oshkosh - Neenah, WI (307)	141
Kalamazoo, MI (294)	122

EXHIBIT B (I)
(cont.)

MSAs WITH 105 OR MORE VACANT
800 MHz TRUNKED SMR FREQUENCIES

MSA and Population (000)	Number of Vacant Frequencies
Eugene-Springfield, OR (285)	120
Savannah, GA (270)	122
Charleston, WV (260)	225
Johnstown, PA (254)	187
Duluth, MN (253)	269
Tallahassee, FL (253)	182
Columbus, GA (247)	177
Anchorage, AK (246)	194
Springfield, MO (239)	221
Roanoke, VA (234)	173
Lima, OH (224)	202
Fort Smith, AR (222)	235
Biloxi-Gulfport, MS (216)	168
St. Cloud, MN (212)	182

EXHIBIT B (I)
(cont.)

MSAs WITH 105 OR MORE VACANT
800 MHz TRUNKED SMR FREQUENCIES

MSA and Population (000)	Number of Vacant Frequencies
Springfield, IL (193)	121
Asheville, NC (191)	105
Wilmington, NC (190)	232
Battle Creek, MI (188)	162
Muskegon, MI (183)	232
Lake Charles, LA (180)	111
Longview-Marshall, TX (179)	107
Terre Haute, IN (178)	230
Wheeling, WV (176)	125
Benton Harbor, MI (169)	111
Cedar Rapids, IA (169)	188
Parkersburg, WV (167)	250
Abilene, TX (166)	134
Lynchburg, VA (166)	190
Clarksville, TN (162)	135
Richland - Kennewick - Pasco, WA (161)	129
Redding, CA (158)	232
Waterloo-Cedar Falls, IA (157)	186
Fargo-Moorehead, ND (156)	176

EXHIBIT B (I)
(cont.)

MSAs WITH 105 OR MORE VACANT
800 MHz TRUNKED SMR FREQUENCIES

MSA and Population (000)	Number of Vacant Frequencies
Alexandria, LA (155)	207
Athens, GA (154)	165
Fort Walton Beach, FL (153)	200
Medford, OR (152)	225
Jackson, MI (150)	178
Tuscaloosa, AL (150)	213
Albany, GA (147)	176

EXHIBIT B (I)
(cont.)

MSAs WITH 105 OR MORE VACANT
800 MHz TRUNKED SMR FREQUENCIES

MSA and Population (000)	Number of Vacant Frequencies
Texarkana, TX (128)	224
Charlottesville, NC (127)	185
Anniston, AL (126)	191
Billings, MT (126)	255
Mansfield, OH (126)	177
Sharon, PA (126)	156
Sioux Falls, SD (125)	222
Pascagoula, MS (124)	165
State College, PA (124)	232
Glens Falls, NY (122)	170
Hagerstown, MD (122)	115
Lawton, OK (122)	192
Sioux City, IA (119)	215
Wausau, WI (118)	215
Williamsport, PA (118)	201
Florence, SC (112)	250
Columbia, MO (109)	212
Grand Forks, ND (109)	195
Iowa City, IA (109)	175