

Original

Nextel Communications, Inc.
2001 Edmund Halley Drive, Reston, VA 20191
703 433-4000

NEXTEL

EX PARTE OR LATE FILED

October 24, 2000

RECEIVED

OCT 24 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie R. Salas, Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A-325
Washington, DC 20554

Re: EX PARTE, PR Docket No. 93-144

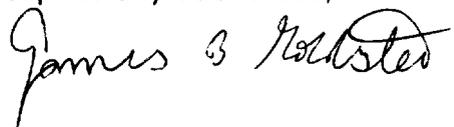
EX PARTE OR LATE FILED

To the Secretary:

Pursuant to Section 1.206 of the Commission's Rules, Nextel Communications, Inc. ("Nextel") hereby provides an original of this letter and two copies of the enclosed letter delivered on this date to the Thomas Sugrue, Chief of the Federal Communication Commission's Wireless Telecommunications Bureau. This filing should be associated with the above-captioned proceeding.

Should any questions arise in connection with this notification, please do not hesitate to contact the undersigned.

Respectfully submitted,



James B. Goldstein
Regulatory Attorney – Government Affairs

cc: Thomas Sugrue
William Kunze
Paul D'Ari
Don Johnson

No. of Copies rec'd 0 + 2
List A B C D E

Nextel Communications, Inc.
2001 Edmund Halley Drive, Reston, VA 20191
703 433-4000

NEXTEL

October 24, 2000

RECEIVED

OCT 24 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Thomas Sugrue, Chief
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

EX PARTE OR LATE FILED

Re: Request for Extension of Mandatory Negotiation Period
EX PARTE, PR Docket 93-144

Dear Mr. Sugrue:

Nextel Communications, Inc., on behalf of its wholly owned subsidiary Nextel License Acquisition Corp. (collectively "Nextel"), hereby respectfully requests that the Wireless Telecommunications Bureau ("the Bureau") extend for ninety days the mandatory negotiation period between all 800 MHz upper-200 SMR channel Economic Area ("EA") licensees and upper-200 channel incumbent licensees.

The one-year mandatory negotiation period for relocating 800 MHz upper-200 SMR channel incumbent licensees to other 800 MHz channels will end on December 4, 2000. Due to the scheduling of the Lower 150 and Lower 80 SMR channel auctions, both EA licensees and incumbents have lost a significant amount of time to complete relocation transactions.¹

¹ As the Bureau is aware, Section 1.2105(c) of the Commission's rules prohibits communications among auction applicants between the short form filing deadline and the time of the post-auction downpayment. During Auction 34, for example, auction-participating EA licensees were prohibited from communicating with the auction applicants, many of whom were upper-200 channel incumbents, from July 17, 2000 (the short-form filing deadline) until September 20, 2000 (the long form filing deadline and downpayment date). Similarly, auction-participating EA licensees are currently prohibited from communicating with Auction 36 applicants, many of whom are upper-200 channel incumbents, from September 29, 2000 (the short form filing deadline). Since Auction 36 commences November 1, 2000, little if any time will remain for mandatory negotiations even if the auction concludes quickly.

Thomas Sugrue, Chief
October 24, 2000
Page 2

Pursuant to the Commission's anti-collusion rules, EA licensees and incumbents cannot initiate or continue relocation negotiations when both are auction applicants. Accordingly, the Bureau should extend the mandatory negotiation period to account for the lost time resulting from Auctions 34 and 36. The Bureau should grant an extension from December 4, 2000 for the length of time lost under the anti-collusion rules or, at a minimum, 90 days.

The requested extension of the mandatory negotiation period is in the public interest. The auction anti-collusion rules serve important auction integrity objectives by preventing even the appearance of improper contact among auction participants. In the case of Auctions 34 and 36, however, the anti-collusion rules have limited negotiation opportunities. An extension promotes the Commission's goals by restoring this lost time, thereby permitting the completion of relocation agreements and minimizing the need for the Commission to become involved in involuntary incumbent relocations.

Should you have any questions in regards to this matter, please contact the undersigned at (703) 433-4140.

Respectfully submitted,



Lawrence R. Krevor
Senior Director - Government Affairs

James B. Goldstein
Regulatory Attorney - Government Affairs

cc William Kunze
Paul D'Ari
Don Johnson