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September 5, 2002

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Via Electronic Filing

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Attention: Katherine M. Harris, Esq. (kharris@fcc.gov)
Commercial Wireless Division
Wireless Telecommunications Bureau
Room 4-C236

Re: Access 220 LLC Petition for Waiver to Provide Band Management Services
Using Licenses in the 220-222 MHz Band
WT Docket No. 02-224

Dear Ms. Dortch:

On behalf of Venture Communications, Inc. ("Venture"), we hereby submit this reply comment in the above referenced proceeding. Venture is a wholly-owned subsidiary of Sully Buttes Telephone Cooperative, Inc. ("Sully Buttes") and a holder of licenses in the 220-222 MHz band.¹ Venture supports Access 220 LLC's request for waiver of the Federal Communications Commission ("FCC or "Commission") rules in order to permit it to provide band management services on 220-222 MHz spectrum.² Moreover, to the extent that the FCC should grant regulatory relief to Access 220, it should consider granting similar relief to other licensees in the 220-222 MHz service, and/or ensure that the spectrum lease/band manager concept is adopted as

¹ In particular, Venture is the holder of 220 MHz market area licenses under Call Signs WPOK759 (BEA114, Channel Block A), WPOK760 (BEA114, Channel Block B), WPOK761 (BEA115, Channel Block A) and WPOK762 (BEA115, Channel Block B).

² Request for Waivers of Access 220, LLC, To Provide Band Management Services Utilizing Licenses in the 220-222 MHz Band, filed July 3, 2002.

part of the Commission secondary market for spectrum initiative.

Venture and its parent company are already on record supporting the FCC's secondary markets initiative. As stated in joint comments filed by the law firm of Blooston, Mordkofsky, Dickens, Duffy & Prendergast in WT Docket 00-230, Venture believes that giving a licensee the ability to lease its spectrum in a manner similar to the scheme adopted for the 700 MHz guard band proceeding, and *Secondary Markets Policy Statement*,³ will only benefit the public interest. Venture does not object to the notion of having 220-222 MHz Band licensees comply most of the conditions associated with the 700 MHz guard band manager authorizations, as set forth in the FCC's Part 27 rules. Licensees should be free to lease their spectrum to any end users they see fit, so long as the operations comply with the applicable general technical standards of Subpart I of Part 90 of the Commission's rules and all relevant technical and operational requirements applicable to operations in the 220-222 MHz Band.

In sum, allowing 220-222 MHz Band licensees to operate as band managers will create additional flexibility for licensees to customize their service offerings, it will promote access to spectrum opportunities for small businesses and it will help licensees to fulfill the Commission's original policy goal of encouraging efficient use of that band.

Respectfully submitted,



John A. Prendergast
Counsel for Venture Communications, Inc.

³ *Policy Statement*, "In the Matter of Principles for Promoting the Efficient Use of Spectrum by Encouraging the Development of Secondary Markets," FCC 00-401 (*rel.* December 1, 2000) ("*Secondary Markets Policy Statement*").

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