

April 24, 2003

BY HAND DELIVERY

Ms. Shellie Blakeney
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Re: MDS/ITFS Freeze
WT Docket 03-66

Dear Ms. Blakeney:

It has come to our attention that the Bureau is looking for information regarding the potential effects of the MDS/ITFS application freeze on MDS licensees and operators. We had been considering filing a separate petition for reconsideration on behalf of Wireless World, LLC, the MDS BTA licensee in the Virgin Islands, but have decided, in view of the pendency of the WCAI petition and petitions by other operators, to join in support of the comments of the petitioners who have already filed. Wireless World presently provides digital video service and high speed data service over its own MDS channels in the Virgin Islands, over leased ITFS channel groups, and over STAs to operate two additional channel groups which have been unavailable for permanent licensing on the islands of St. Thomas and St. Croix. The service is competitive with the local cable system, which has historically been subject to lengthy outages in the aftermath of storms. The Virgin Islands are obviously a remote outpost of U.S. jurisdiction, are extremely rural, and have limited access to broadband and other state-of-the-art telecommunications facilities.

Wireless World is trying to bridge that gap by putting its MDS and ITFS channels to productive use. Since its predecessor began operations in 1996, Wireless World has been steadily upgrading its facilities, digitalizing, adding high power booster locations, and adapting its network to the challenges of providing service in the nooks and crannies of three small islands characterized by extremely rough and varied terrain. This evolutionary process requires Wireless World to add, modify, and relocate sites in order to better deliver service to the areas where customers are demanding service. Wireless World plans to file both for additional sites and relocation of existing sites in the next few months in order to improve its service to existing customers and to make service available to new customers who are presently unreachable.

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A freeze on MMDS and ITFS filings for the indefinite future would seriously cripple Wireless World's ability to implement these improvements. Moreover, there is a fundamental unfairness in Wireless World's position. Its predecessor paid a very substantial price for this BTA license at auction in 1996. It was offered the rights to use the MDS channels in this market in return for that purchase. By freezing Wireless World's ability to expand or relocate within the BTA, the Commission is severely devaluing Wireless World's use and enjoyment of the license it bought to a degree that may represent a taking for Fifth Amendment purposes. We therefore strongly urge the Commission to lift the freeze on ITFS and MDS filings to the extent that existing licensees should be permitted to expand and relocate facilities within BTAs. To do otherwise would sacrifice the reality of new or improved service to real customers now for hypothetical service which may or may not happen in the future.

Respectfully submitted,

WIRELESS WORLD, LLC

By _____
Donald J. Evans

Its Attorney

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