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Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:	)	
	)	
i2way Request for Declaratory Ruling Regarding the Ten-Channel Limit of Section 90.187(e) of the Commission's Rules	)	WT Docket No. 02-196
	)	
Hexagram Petition to Deny i2way Applications	)	

To: The Commission

REPLY TO OPPOSITION TO APPLICATION FOR REVIEW

i2way Corporation ("i2way"), by its attorney and pursuant to Section 1.115 of the rules and regulations of the Federal Communications Commission ("FCC" or "Commission")[1], hereby files this Reply to the Opposition filed by Hexagram, Inc. ("Hexagram"), in which Hexagram opposed i2way's Application for Review in the above-referenced proceeding.

In its Opposition to i2way's Application for Review, Hexagram states that i2way attempted to be "excused" from the ten-channel rule. This statement is not accurate. The purpose of i2way's Request for Declaratory Ruling was to determine the proper scope and interpretation of the ten-channel limit. Specifically, i2way sought to clarify how the restriction inherent in the sentence, "No more than 10 channels for trunked operation in the Industrial/Business Pool may be applied for in a single application," should be construed.

[1] 47 C.F.R. § 1.115 (2002).

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Hexagram also states that i2way requested relief from the frequency coordination requirements. Again, this statement is not accurate. i2way's applications were subjected to frequency coordination and fully complied with the frequency coordination requirements.

Hexagram also found fault with i2way's Application for Review for not providing a certificate of service. i2way corrected this oversight by the subsequent filing of a "Submission of Certificate of Service *Nunc Pro Tunc*." Additionally, Hexagram contended that i2way's Application for Review lacked the degree of specificity prescribed by the rules. With respect to that allegation, i2way believes its Application for Review speaks for itself.

Hexagram's Opposition to i2way's Application for Review is premised on the expectation that i2way should have to provide protection for Hexagram licenses that were issued on a secondary basis. There is no support for such an expectation in the Commission's rules.

WHEREFORE, The premises considered, i2way urges the Commission to give full consideration to the construction of the ten-channel rule advanced by i2way in its Application for Review.

Respectfully submitted,

i2way Corporation

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June 3, 2003

Certificate of Service

I, Frederick J. Day, hereby certify that on this 3rd day of June, 2003, a copy of the foregoing document was sent via first-class mail, postage prepaid, to the following:

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