

LUKAS, NACE, GUTIERREZ & SACHS

CHARTERED
1650 TYSONS BOULEVARD
SUITE 1500
MCLEAN, VA 22102
703-584-8678
FAX: 703-584-8696

RUSSELL D. LUKAS+
DAVID L. NACE+
THOMAS GUTIERREZ+
ELIZABETH R. SACHS+
GEORGE L. LYON, JR +
PAMELA L. GIST+
DAVID A. LAFURIA+
MARILYN SUCHECKI MENSE+
B. LYNN F. RATNAVALE+
TODD SLAMOWITZ+
STEVEN M. CHERNOFF+

April 13, 2005

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEROY A. ADAM
LEILA REZANAVAZ

—
OF COUNSEL
JOHN J. MCAVOY+
J K. HAGE III++
LEONARD S. KOLSKY+++

+ADMITTED ONLY IN DC
**ADMITTED ONLY IN NY
+++ADMITTED ONLY IN MA

<http://www.fcclaw.com>

WRITER'S DIRECT DIAL

(703) 584-8663
lsachs@fcclaw.com

800 MHz Transition Administrator
c/o Robert B. Kelly, Esq.
Squire, Sanders & Dempsey L.L.P.
1201 Pennsylvania Ave., N.W.
P.O. Box 407
Washington, DC 20044-0407

**RE: 800 MHz ESMR Election
Airtel Wireless, LLC
Supplemental Information**

Dear Mr. Kelly:

On behalf of Airtel Wireless, LLC ("Airtel"), and pursuant to discussions with TA representatives, we wish to provide the following supplemental information in respect to the 800 MHz ESMR Election filed by Airtel on January 21, 2005.

1) I have enclosed as Attachment 1 a system diagram of Airtel's current network configuration. As indicated on the Attachment, the entire network is controlled through the switch, the Mobile Switching Office ("MSO"), in Billings, MT. The operating cell sites throughout the state are integrated with one another through microwave or wireline connections back to the MSO. As additional cell sites are added, they will have the same basic configuration and will be integrated with the rest of the network through the MSO in Billings. Should the TA wish to review a more detailed system design with additional information, Airtel will be pleased to provide it pursuant to appropriate confidentiality protections.

2) Airtel is authorized for more than the twenty (20) twenty-five (25) kHz channels required to qualify as an ESMR, not at a single site, but at virtually every cell site it already has deployed or intends to build. Unlike a site-based analog environment at 800 MHz in which each licensed 25 kHz channel represents the right to establish a single voice path on the licensed channels at the authorized location (or at a subsequently licensed site(s) within its defined contour), each of the Company's twenty-five (25) kHz bandwidth authorizations actually supports three (3) or six

Robert B. Kelly, Esq.
April 13, 2005
Page 2

(6) channels of voice communications depending on whether the transmission is an interconnected or dispatch communication. It is identical in this respect to the iDEN networks operated by Nextel and Southern LINC.

Each cell site in Airtel's network is designed to accommodate up to twenty-two (22) 25 kHz channels in an omni configuration. In a sectorized environment, there are up to thirty-six (36) 25 kHz channels configured with up to twelve (12) channels per sector in each of three (3) sectors. Of course, as noted above, each of these 25 kHz channels actually carries anywhere from three (3) to six (6) communications channels (talk paths) depending on the interconnect/dispatch ratio. Airtel has been advised that the Southern LINC iDEN network uses no more than seventeen (17) 25 kHz channels at any of its more than five hundred (500) cell sites although, like Nextel and Airtel, Southern LINC is licensed for a much larger number of channels at each site.

3) The 800 MHz proceeding implicitly and explicitly recognizes that an ESMR designation applies to a licensee's entire, integrated network. Both the original 800 MHz Order and the Supplemental Order identify the Company as operating a CMRS cellular-architecture network and refer to it as an ESMR.¹ The 800 MHz Order also specifically noted that Airtel's cellularized system already operated in some markets and that the Company had represented that it "will be constructing Harmony systems in other markets."² Since then, Airtel has deployed facilities in each market in which it holds an EA authorization. It intends to add cell sites within each of these markets as it expands its network.

The definition of an ESMR system in Section 90.7 is not EA or otherwise geographically limited. It is satisfied, or not, based on the technical parameters of a defined number of facilities within a relatively limited geographic area. The rule does not require that an ESMR licensee make an individual showing in each community, market or region in which it operates. Once the definition is met, the entire network is encompassed within that regulatory classification assuming, of course, that the additional facilities are integrated into the network that satisfied the ESMR definition.³

That approach is appropriate for entities with networks that have been determined by the FCC to have a potential for interfering with public safety operations. For example, in respect to Southern LINC, the FCC noted the following:

¹ *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order*, WT Docket No. 02-55, 19 FCC Rcd 14969 at ¶ 159 (2004) ("800 MHz Order"); *Supplemental Order and Order on Reconsideration*, WT Docket No. 02-55, 19 FCC Rcd 25120 at ¶ 75 (2004) ("Supplemental Order").

² 800 MHz Order at ¶ 159.

³ All ESMR networks, including those operated by Nextel and Southern LINC, continue to expand operations into additional markets and to more outlying areas within existing markets. For example, a review of Nextel's coverage map confirms that there are many areas in which it holds ESMR authorizations but has not yet deployed a digital iDEN network, including the State of Montana.

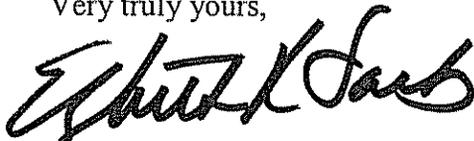
Robert B. Kelly, Esq.
April 13, 2005
Page 3

...there is no evidence that these operations currently cause interference to other 800 MHz band licensees. However, we can foresee that Southern LINC, in order to meet increasing subscriber demands, may desire to deploy "low site" cells which could be a source of interference to public safety and other non-cellular licensees. ...We therefore believe that the overall interference environment at 800 MHz would improve were we to allow licensees **such as** Southern LINC to relocate their systems to the ESMR portion of the band where they have less potential for interference to public safety and other non-cellular 800 MHz band licensees.⁴

The Commission correctly concluded that cellular-architecture systems should be relocated to the ESMR band, not only as they existed at the point at which they were determined to fall into that category, but as they are expanded in the future.

Please contact the undersigned if you have any further questions or require additional information.

Very truly yours,



Elizabeth R. Sachs
Attorney for Airtel Wireless, LLC

Enclosure

⁴ 800 MHz Order at ¶ 161 (footnote omitted; emphasis added).

Current

