

May 19, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Applications for Consent to Assign Certain BRS Licenses from Digital & Wireless Television, LLC to American Telecasting of Denver, Inc. – File No. 0002098626 and 0002069066*

Application for Consent to Assign License for BRS Station WLK212 (Providence, RI) from Champion Industries to Nextel Spectrum Acquisition Corp. – File No. 9650667

Applications for Consent to Merger of Sprint Corp. and Nextel Communications Corp. – WT Docket No. 05-63

Dear Ms. Dortch:

I am writing to correct the record before the Commission concerning the origins of two recent filings by Community Technology Centers' Network ("CTCNet") in the above-referenced matters. Particularly because my law firm and I have frequently represented Sprint Corp. ("Sprint") and various of its subsidiaries before the Commission and elsewhere, I am troubled that the document properties associated with the Adobe Acrobat files submitted to the Commission by CTCNet falsely suggest that I was the author of two of CTCNet's recent filings.

Specifically, on April 28, 2005, CTCNet electronically submitted to the Commission an Adobe Acrobat file containing a petition to deny the above-referenced applications submitted by Digital and Wireless Television, LLC and American Telecasting of Denver, Inc., a subsidiary of Sprint. Then, on May 6, 2005, CTCNet electronically submitted to the Commission a petition for reconsideration of the grant of the above-referenced application for authority for Champion Industries to assign a certain BRS license to a subsidiary of Nextel Communications Corp. ("Nextel"). As established by Attachments A and B to this letter, the document properties associated with those both of those electronic filings identify me as the author of the documents.

As the Commission is no doubt aware from reports in the press, there is widespread speculation within the wireless industry regarding the origins of CTCNet's voluminous filings in

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these proceedings.¹ So that there is no confusion in the record, let me be clear. *Neither I nor any attorney at my law firm represents CTCNet or any company that is assisting CTCNet in its efforts against the Sprint/Nextel merger. We did not draft either of these pleadings, nor did we assist in any manner with their preparation or filing of these documents with the Commission.*²

Prior to making this submission to the Commission, I raised my concerns regarding the first of these occurrences with CTCNet, and its response, implying that the misidentification occurred because a document I previously authored was downloaded from the Electronic Comment Filing System (“ECFS”) and used by it as a template, is annexed as Attachment C. Since CTCNet already had filed at least six prior pleadings in connection with the Sprint/Nextel merger, it is difficult to envision CTCNet downloading the Adobe Acrobat file of one of my prior pleadings from ECFS, converting that file into editable form, and then using it as the template for the filings at issue here. In any event, while I have no personal knowledge of how my name came to be associated with those documents or who drafted and filed CTCNet’s pleadings, I do know that neither I nor any attorney at my law firm was involved.

I would be pleased to respond to any further inquiries the Commission may have regarding this matter.

Respectfully submitted,

/s/ Paul J. Sinderbrand

Paul J. Sinderbrand

Attachments

¹ As noted earlier this week in the trade press, although CTCNet’s filings are signed by two CTCNet employees that heretofore have had few apparent dealings with the 2.5 GHz band, they reflect an “encyclopedic knowledge of the 2.5 GHz market.” “CTCNet’s filings have many of the telltale signs of documents prepared by an experienced communications law firm,” perhaps working for a competitor in the wireless broadband market “trying to upend the [Sprint/Nextel] deal behind the cover of [CTCNet]”. See Silva, “Not everyone in CTCNet opposes Sprint-Nextel merger,” RCR News at 4 (May 16, 2005).

² I am not the only attorney who has been mis-identified in the document properties as the author of a CTCNet pleading. The document properties associated with CTCNet’s March 30, 2005 petition to deny the Sprint/Nextel merger applications and with CTCNet’s April 22, 2005 “Supplement to Reply” identify Edwin N. Lavergne of Fish & Richardson, P.C. as the author. I have been advised by Mr. Lavergne that neither he nor his firm represent CTCNet and that neither he nor his firm were involved in any manner with the preparation of those filings.

In addition, the document properties of three other pleadings submitted by CTCNet in connection with the Sprint Nextel merger identify Evan D. Carb of the Silver Spring, MD firm RJGLaw, LLC, as their author. See Motion of CTCNet for Leave to File Late-Filed Reply, WT Docket No. 05-63 (filed April 19, 2005); Motion of CTCNet for Leave to File Out-of-Cycle, WT Docket no. 05-63 (filed April 22, 2005); Erratum of CTCNet to Reply, WT Docket No. 05-63 (filed April 22, 2005). I have not spoken with Mr. Carb regarding this matter and have no knowledge as to whether Mr. Carb authored those pleadings or was involved in any manner with their preparation and/or filing.

WILKINSON) BARKER) KNAUER) LLP

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cc: John Zoltner
Ryan Turner
Dee Osborne
Luisa Lancetti
Noel Rudd
Robin Cohen
Participants in WT Docket No. 05-63



In the Matter of
 Digital and Wire
 American Teleco
 Assignment of L
 Broadband Radi
 Broadband Radi
 KN5C839, KNS
 KN5C327 at Po
 and
 Broadband Radio Service Station KN5E324
 at Denver, Colorado

0002098626
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Document Summary

File: P:\...\Community Technologies Center Network 4-28-05.pdf

Title: Microsoft Word - CTCNet_Denver Consolidated Petition to Deny_1

Subject:

Author: Paul J. Sinderbrand

Keywords:

Binding: Left Edge

Creator: Acrobat PDFMaker 7.0 for Word
 Producer: Acrobat Distiller 7.0 (Windows)
 Created: 4/28/2005 5:14:46 PM
 Modified: 4/28/2005 5:16:21 PM
 File Size: 135.9 KB (139,118 Bytes)
 Security: None

PDF Version: 1.4 (Acrobat 5.x) Fast Web View: No
 Page Size: 8.5 in x 11 in Tagged PDF: No
 Number of Pages: 9

OK Cancel

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File Edit Document Tools View Window Help

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Document Summary

File: C:\...\Community Tech Centers Network_5-6-05.pdf

Title: Before the

Subject:

Author: Paul J. Sinderbrand

Keywords:

Binding: Left Edge

Creator: Acrobat PDFMaker 7.0 for Word 9650667

Producer: Acrobat Distiller 7.0 (Windows)

Created: 5/6/2005 1:17:49 PM 5-63

Modified: 5/6/2005 1:24:26 PM

File Size: 90.3 KB (92,427 Bytes)

Security: None

PDF Version: 1.6 (Acrobat 7.x) Fast Web View: No

Page Size: 8.5 in x 11 in Tagged PDF: No

Number of Pages: 10

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In the Matter of

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Nextel Spectru

Assignment of

Station WLK2

To: The Co

COMMUNITY TECHNOLOGY CENTERS' NETWORK

Community Technology Centers' Network ("CTCNet"), hereby submits its Petition

for Reconsideration regarding the Commission's consent of March 29, 2005 as memorialized

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community technology centers' network

May 10, 2005

Paul J. Sinderbrand
Wilkinson, Barker, Knauer LLP
2300 N Street, NW, Suite 700
Washington, DC 20037
FAX: 202-783-5851

Dear Mr. Sinderbrand,

Thank you for bringing this to my attention. CTCNet's filings at the FCC are the work of CTCNet only, and not you, your law firm, or Sprint. There is no information on any page of the document that identifies either you or Sprint as the author. Every filing clearly states on the cover and signature pages, and in the FCC website contact information, that they have been filed by the Community Technology Centers' Network, and submitted by myself and/or John Zoltner.

The electronic data within the properties of any document we filed-- the pages of which are intended only to be opened, printed, or viewed online by any interested party-- and whose file document properties were viewed by you or Sprint, must have included electronic data that was transferred from another document you previously filed at the FCC, which we used in part as a template for the filing. CTCNet is unable to control that the FCC makes these files available for downloading from its website.

CTCNet apologizes for any misunderstanding. I will take all precautions in the future to avoid filing any document that uses a template which may include any name in the properties of the electronic file.

Thank you,

A handwritten signature in black ink, appearing to read "Ryan Turner". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ryan Turner
Director, Policy & Communications

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