

June 6, 2005

BY ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: WT Docket No. 03-66
Ex Parte Presentation

Dear Ms. Dortch:

Representatives from Nextel Communications (Nextel) and the Wireless Communications Association (WCA) met with Uzoma Onyeije, John Schauble, Nancy Zaczek, and Henry Allen of the Wireless Telecommunications Bureau on Friday, June 3, 2005, to urge the Commission to quickly reconsider its decision to require proponents to transition the 2.5 GHz band on a Major Economic Area (MEA) basis, rather than a Basic Trading Area (BTA) basis. Lawrence Krevor, Robert Finch, Kanwar-Preet Jolly, and I represented Nextel, and Paul Sinderbrand represented WCA.

Nextel and WCA explained that MEA-sized transition areas needlessly complicate the transition by drawing in hundreds of licensees across thousands of square miles that pose no threat of interference if they were transitioned at different times. By comparison, BTAs are fixed, well-defined areas that correspond closely to the actual paths of commercial activity in any given community and are, in fact, one of the basic licensing units in the band. From a practical perspective, moreover, BTAs are large enough to prevent the type of “haphazard” spectrum transition that the Commission feared as a result of alternative proposals and small enough to allow for manageable administration of the numerous complex details associated with a transition.

Nextel also noted that if MEA-sized transition areas are retained, many MEAs with population centers far removed from the international borders would require coordination with the Mexican and Canadian administrations prior to transition. MEAs are expansive and, in many cases, extend from the nation’s international borders deep into the interior regions of the country. As a result, areas located great distances from international borders, such as New York City and St. George, Utah, would likely not be transitioned until the United States proved able to conclude a cross-border agreement with the Mexican and Canadian administrations. Using BTA-sized transition areas as opposed to MEA-sized transition areas, however, would allow immediate transition of large

portions of the country that would otherwise fall to the end of the transition list due to the need for international coordination.

Nextel and WCA urged the Commission adopt a Memorandum Opinion and Order authorizing proponents to use BTA-sized transition areas before it resolves the many other far more complicated still pending on reconsideration, such as height benchmarking, dual spectrum masks for MSS licensees, reimbursement formulas, and related issues. The geographic area of the transition area is entirely independent of the mechanics of the transition process itself, the complicated interference-mitigation rules, the reimbursement methodology and other matters at issue in the docket. A single-issue reconsideration order is warranted because no transitions will occur until the Commission establishes a firm rule governing the proper geographic area for transition. Indeed, nearly six months after the effective date of the transition rules not one party has initiated a pre-transition data request on an MEA basis. To establish some momentum in the band, the Commission should resolve the twenty pending petitions against its decision to adopt an MEA transition area and adopt a BTA-based transition area instead. A second reconsideration order can address the many remaining issues without delaying commencement of the transition process.

Nextel explained that it is ready, willing, and able to transition three BTAs upon adoption of an order authorizing BTA-sized transition areas. To help both proponents and licensees gain the broadest possible experience with the new Part 27 transition requirements, Nextel proposed to transition three basic types of 2.5 GHz deployments: all digital; all analog; and a combination of digital and analog. Three BTAs – Boston, Massachusetts; Austin, Texas; and Washington, D.C. – reflect these differences and also exemplify three different population sizes, geographic locations, surface areas, and terrain types. If the Commission adopts BTA-sized transition areas on reconsideration now, both proponents and transitioning licensees can immediately work together to better understand the mechanics of the transition process in a geographically and financially manageable setting.

Under section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), please associate this letter with the above-referenced docket.

Sincerely,

/s/ Trey Hanbury

Trey Hanbury
Senior Counsel
Nextel Communications

CC: Uzoma Onyeije, John Schauble, Nancy Zaczek, Henry Allen