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July 15, 2005

VIA E-MAIL + MAIL

Robert Kelly, Esq.
Office of Transition Administrator
c/o Squires Sanders & Dempsey, LLP
1201 Pennsylvania Ave. NW
P.O. Box 407
Washington, DC 20044-0407
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Re: FCC Docket No. 02-55, 800 MHz Rebanding;
Notice Re 800 MHz Channel Relocation Plans

Dear Mr. Kelly:

This firm represents Mobile Relay Associates (“MRA”) in the captioned proceeding. MRA is an 800 MHz SMR licensee holding site-based licenses. MRA’s 800 MHz licenses are listed in Exhibit 1 attached hereto and incorporated herein by reference. That exhibit identifies each license by call sign and channel(s). **All of the licenses are in the Denver, Colorado EA.**

As set forth in MRA’s January 20, 2005 election notice filed with your office (copy attached for convenience), MRA timely filed a petition for review of the *Report and Order* with the US Court of Appeals for the District of Columbia Circuit, Case No. 04-1413, which remains pending and which, if resolved in MRA’s favor, would result in MRA being allowed to relocate its 800 MHz spectrum into the new ESMR band. A briefing schedule was recently issued in that case, and a decision is expected in the first half of 2006.

However, in the event that MRA’s court case is not resolved in its favor, and MRA is not allowed to relocate into the new ESMR band, then MRA hereby elects (contingent upon such potential ineligibility for the ESMR band) to relocate all of its licenses into the Guard Band. MRA is entitled to be relocated only once. Therefore, it is incumbent upon the Transition Administrator to hold sufficient channel capacity in each of the ESMR Band and the Guard Band in reserve, pending the outcome of the above-referenced court case.

Robert B. Kelly, Esq.
July 15, 2005
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Please direct any questions or correspondence concerning this matter to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Kaufman', with a long horizontal flourish extending to the right.

David J. Kaufman

Encl. (Exhibit 1)

cc(w/encl.):

Mobile Relay Associates
FCC (via ECFS)

Exhibit 1

800 MHz Licenses held by Mobile Relay Associates

| Callsign | Frequencies |
|----------|-------------|
| WPEQ759 | 855.6625 |
| WNCD872 | 856.6625 |
| | 857.6625 |
| | 858.6625 |
| | 859.6625 |
| | 860.6625 |
| | 851.0375 |
| | 852.3125 |
| | 853.0125 |
| | 854.1125 |
| | 855.5125 |
| WPMH441 | 855.1625 |
| WYY839 | 851.2875 |
| WPKM267 | 853.4125 |
| WPYR812 | 851.6125 |
| WPMH452 | 855.1875 |
| WPMH454 | 854.9375 |
| KNHH521 | 852.1125 |
| WNXN898 | 853.7375 |
| | 854.2125 |
| | 853.7375 |
| | 852.8875 |
| | 853.3875 |
| | 853.2125 |
| | 852.4375 |
| | 854.5125 |
| | 854.7875 |
| | 853.5875 |
| | 851.2875 |
| | 855.6625 |
| | 855.7875 |
| 853.7125 | |
| 851.6625 | |
| 854.0125 | |
| WYY828 | 851.5625 |
| | 851.4875 |
| WPZT722 | 855.0125 |
| WPCA896 | 854.9375 |
| | 855.1625 |
| | 855.1875 |
| WPTA425* | 855.2625 |