

# FRIENDS UNIVERSITY

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
TW-A325  
Washington, DC 20554

RE : WT Docket 05-63, Merger of Sprint Communications, Inc. and Nextel Corporation  
Ex Parte Filing

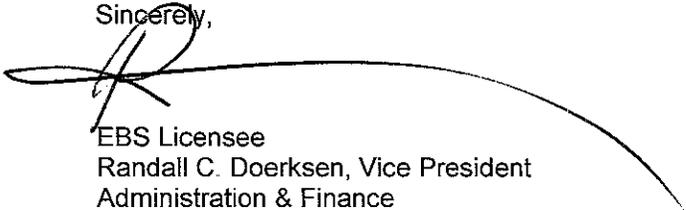
Friends University is a major licensee and operator of Educational Broadcast Services in conjunction with our primary mission as a not-for-profit institution of higher learning. Sprint has asked us to comment on concerns over the conduct in which they handle lease negotiations with EBS licensees. Most notably, IMWED and Media Access Project have suggested that Sprint has used "superior size to impose terms on small EBRS licensees that compromise the educational nature of the EBRS band" and further suggests that "they will exert considerable influence over EBRS licensees who are, generally, smaller and less sophisticated."

As a long time operator of EBS spectrum providing distance learning services to our community, we are pleased with the long standing relationship we have with Sprint. Our institution benefits by generating the right mix of value and operational support through the lease benefits derived from our EBS spectrum. During Friends University's negotiation of a fifteen-year lease with Sprint, we found Sprint to be flexible in responding to our desired lease terms; in both compensation and bandwidth access. Negotiations were conducted in an open, ethical, and professional manner, and during no point in the process did we feel compelled, strong armed, or "influenced" by Sprint to accept terms we did not feel were commercially reasonable or unlawful as IMWED implies. In fact it's important to understand that we negotiated with several companies before working with Sprint.

We specifically decided to work with Sprint because they conducted negotiations in good faith and were responsive to the educational objectives of our institution in developing a lease structure that supports our mission by providing equipment, complimentary access to tower facilities, operating support, services and lease revenues. Furthermore, we are comfortable with meeting our educational requirements through the airtime we retain and although we understood there would be financial differences in the terms, in no way did Sprint refuse to lease from us if we desired to retain more than 5% of our capacity. In fact, contract provisions were made for the University to have access to another 20% of the capacity if programming demands warranted.

We are well represented by some of the finest attorneys including Steven Schaffer of the firm Schwartz, Woods & Miller, Washington, D.C., and collaborate with some of the best educators in the EBS community to ensure we are making a fully informed decision on our lease arrangement for our institution. To generalize that EBS licensees are "less sophisticated", as MAP does, is a discredit to our institution, our decision making process, and the educational community at large. We appreciate the relationship we have with Sprint and look forward to continued good relations with Sprint and Nextel once their merger is approved.

Sincerely,



EBS Licensee  
Randall C. Doerksen, Vice President  
Administration & Finance

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