

EX PARTE PRESENTATION

Via Electronic Filing

August 2, 2005

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

Re: Applications for Consent to the Transfer of Control of Licenses and Authorizations from Nextel Communications, Inc. and its Subsidiaries to Sprint Corporation, WT Docket No. 05-63

Dear Ms. Dortch:

In connection with the above-referenced proceeding, Sprint Corporation (Sprint) and Nextel Communications, Inc. (Nextel) hereby voluntarily commit to observe certain service implementation milestones in the 2496-2690 MHz band (2.5 GHz band) as set forth below.

The first milestone will occur four years from the effective date of the order in the above-referenced docket. By that time, the merged company ("Sprint-Nextel") will offer service in the 2.5 GHz band to a population of no less than 15 million Americans. The deployment will include areas within a minimum of nine of the nation's most populous 100 Basic Trading Areas (BTAs) and at least one BTA less populous than the nation's 200th most populous BTA. In these ten BTAs, the deployment will cover at least one-third of each BTA's population.

The second milestone will occur six years from the effective date of the order in the above-referenced docket. By that time, Sprint-Nextel will offer service in the 2.5 GHz band to at least 15 million more Americans in areas within a minimum of nine additional BTAs in the 100 most populous BTAs, and at least one additional BTA less populous than the nation's 200th most populous BTA. In these additional ten BTAs, the deployment will cover at least one-third of each BTA's population. In sum, within six years of the effective date described above, Sprint-Nextel will offer service in the 2.5 GHz band to at least 30 million Americans in at least 20 BTAs, at least two of which are rural communities outside of the nation's top 200 most populous BTAs. The deployment in each of the twenty BTAs will cover at least one-third of each BTA's population.

Combining Sprint's and Nextel's 2.5 GHz band spectrum, personnel, and expertise will produce significant public interest benefits in terms of new communications services and increased competition. Nevertheless, realizing these benefits will require substantial new investment, development, research, and technical trials. The merged company will face significant business risk and many uncertainties in developing this spectrum, because technology choices continue to evolve, standard-setting bodies continue to debate key technology decisions, the Commission's proponent-driven spectrum transition plan is untested and subject to unforeseen obstacles, and the regulatory environment that will govern the band remains unsettled in several critical respects.

Accordingly, Sprint and Nextel commit to meeting the implementation milestones described above, unless circumstances beyond their control prevent Sprint-Nextel from achieving those milestones; *i.e.*, Sprint-Nextel would not be required to meet the implementation milestones. Examples of such circumstances include band reconfiguration delays, the failure of domestic or international standards-setting bodies to agree on technology standards, unforeseen technological impediments, and prolonged international cross-border interference negotiations.

In the event, however, that the Commission makes a determination that Sprint-Nextel has failed to meet the implementation milestones described above, and that Sprint-Nextel's failure to do so was the result of circumstances within its control, then Sprint and Nextel understand that the Commission may take appropriate enforcement action, such as monetary forfeitures, mandatory divestiture, or forfeiture of Nextel's 2.5 GHz licenses.

Under Section 1.1206(b) of the Commission's rules, please associate this letter with the above-referenced docket.¹

Sincerely,

Lawrence R. Krevor

Vonya B. McCann

/s/ Lawrence R. Krevor
Vice President
Government Affairs
Nextel Communications, Inc.

/s/ Vonya B. McCann
Senior Vice President
Federal External Affairs
Sprint Corporation

¹ 47 C.F.R. § 1.1206(b).

Ms. Marlene H. Dortch

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CC: Chairman Kevin J. Martin
Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein