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August 16, 2005

VIA E-MAIL AND ELECTRONIC FILING

800 MHz Transition Administrator LLC
c/o Robert B. Kelly
Squire, Sanders & Dempsey L.L.P.
1201 Pennsylvania Avenue, N.W.
P.O. Box 407
Washington, DC 20044-0407

Re: Partial Opposition of SouthernLINC Wireless to Motient License Inc.'s Guard Band Relocation Election; WT Docket No. 02-55

Dear Mr. Kelly:

Southern Communications Services, Inc. d/b/a SouthernLINC Wireless ("SouthernLINC Wireless"), by and through its undersigned counsel, hereby submits this partial opposition to Motient License Inc.'s ("Motient") Guard Band relocation election.¹ Although SouthernLINC Wireless has no objection to Motient's request to relocate many of its 800 MHz channels to the 861-862 MHz Guard Band, the Transition Administrator should affirm that Motient may not relocate the channels listed on the attached Exhibit A to the 861-862 MHz band in the southeastern United States.

The Transition Administrator should deny, in part, the requested relocation election because it would conflict with the unique band plan adopted for the southeastern United States.² In the *Report and Order*, the FCC expanded the new Enhanced Specialized Mobile Radio ("ESMR") band in the Southeast after recognizing that "there are an inadequate number of channels in the 816-824 MHz/861-869 MHz band segment to replicate the existing channel capacity of both

¹ Motient License Inc. Guard Band Relocation Election (WT Docket No. 02-55) (July 19, 2005).

² The FCC defines the southeastern United States in section 90.614(c) of its amended rules, Private Land Mobile Services; 800 MHz Public Safety Interference Proceeding, 69 Fed. Reg. 67,823, 67,843 (Nov. 22, 2004) (to be codified at 47 C.F.R. § 90.614(c)), as well as in Appendix G of the *Report and Order*. In re Improving Public Safety Communications in the 800 MHz Band; Consolidating the 900 MHz Industrial/Land Transportation and Business Pool Channels; WT Docket No. 02-55, *Second Erratum*, 19 FCC Rcd 19651, 19655-56 (2004) (the "Southeast").

Southern LINC and Nextel."³ While the FCC designated the 813.5-824 MHz/858.5-869 MHz band segment as the new ESMR band, it shifted the Expansion Band from 814-815 MHz/859-860 MHz to 812.5-813.5 MHz/857.5-858.5 MHz and completely eliminated the Guard Band in the Southeast.⁴

In a press release inviting the submission of Guard Band relocation elections, the Transition Administrator reiterated the restrictions on Guard Band relocation in the Southeast. The Transition Administrator cautioned that "[c]ertain incumbent 800 MHz licensees in the Southeast U.S. (specifically, certain counties in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee) do not have the ability to relocate the Guard Band."⁵

On July 19, 2005, Motient filed a Guard Band Relocation Election asking "to relocate its non-ESMR systems to unoccupied Guard Band channels at 861-862 MHz."⁶ Although the FCC and the Transition Administrator have effectively barred any relocation elections for frequencies in the southeastern United States, nevertheless Motient requested the relocation to the Guard Band of nineteen call signs with base station transmitters located in the Southeast.⁷ These call signs and related information are listed on the attached Exhibit A.

Motient may not relocate these licensed frequencies to the 861-862 MHz Guard Band in the southeastern United States. As mentioned above, the FCC designated the 813.5-824 MHz/858.5-869 MHz band segment as the new ESMR band in the Southeast. Because Motient operates a non-ESMR system,⁸ it may not relocate to the 861-862 MHz portion of the band. Motient also may not relocate to Guard Band spectrum generally because the FCC eliminated the Guard Band altogether in the Southeast, reconfiguring the 800 MHz band to make the ESMR band adjacent to the Expansion Band.

³ In re Improving Public Safety Communications in the 800 MHz Band; Consolidating the 900 MHz Industrial/Land Transportation and Business Pool Channels; WT Docket No. 02-55, *Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order*, 19 FCC Rcd 14969, 15057 ¶ 164, 15058 ¶ 166 (2004).

⁴ *Id.* at 15058 ¶ 166.

⁵ Press Release, 800 MHz Transition Administrator, LLC, 800 MHz Transition Administrator Accepting Guard Band Relocation Elections (June 29, 2005), at http://www.800ta.org/content/news/2005/06_29_05.asp.

⁶ Motient License Inc. Guard Band Relocation Election (WT Docket No. 02-55) (July 19, 2005).

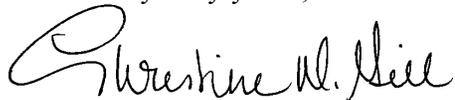
⁷ One of these call signs, WNZI964, is apparently a nationwide license for the 855.8375 MHz frequency. SouthernLINC Wireless does not object to the relocation of this frequency to the Guard Band for transmitter sites outside of the southeastern United States.

⁸ Motient License Inc. Guard Band Relocation Election (WT Docket No. 02-55) (July 19, 2005).

Thus, SouthernLINC Wireless respectfully requests that the Transition Administrator affirm that Motient and other licensees may not relocate their licensed frequencies to the 861-862 MHz Guard Band in the southeastern United States.

Pursuant to Section 1.1206 of the FCC's Rules, a copy of this letter is being submitted electronically to the above-referenced FCC Docket.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Christine M. Gill".

Christine M. Gill

Attachment

cc: Catherine W. Seidel
David Furth
Michael J. Wilhelm
Ramona Melson
Brian Marenco
Roberto Mussenden
Robert Macklin, Motient License Inc.
Robert A. Mazer, Vinson & Elkins LLP
Marlene H. Dortch, Secretary, FCC

Exhibit A
Motient License Inc.
Guard Band Relocation Elections in Southeastern United States

Call Sign	Frequency (MHz)	Radio Service	Transmit Address	City	State	Expiration Date
KNDN333	855.8375	GB	MADDOX AND MCRAVEN RDS	JACKSON	MS	20060922
	855.8375	GB	E OF HWY 498 S OF OLD HWY 80 & E OF NEW	JACKSON	MS	20060922
	855.8375	GB	JCT US HWY 51 AND IH 55 N	RIDGELAND	MS	20060922
KNDN364	854.1375	GB	3 RAVINIA DRIVE	ATLANTA	GA	20071209
	855.8375	GB	3 RAVINIA DRIVE	ATLANTA	GA	20071209
	854.1375	GB	76 COOPER LAKE ROAD SE	MABELTON	GA	20071209
	855.8375	GB	76 COOPER LAKE ROAD SE	MABELTON	GA	20071209
	854.1375	GB	1175 PEACHTREE STREET	ATLANTA	GA	20071209
	855.8375	GB	1175 PEACHTREE STREET	ATLANTA	GA	20071209
	854.1375	GB	123 PEACHTREE PLAZA	ATLANTA	GA	20071209
	855.8375	GB	123 PEACHTREE PLAZA	ATLANTA	GA	20071209
	854.1375	GB	385 MARIETTA PKY	MARIETTA	GA	20071209
	855.8375	GB	2605 PARK CENTRAL BLVD	DECATUR	GA	20071209
KNDN388	855.8375	GB	1214 GREENVALE AVE	ALBANY	GA	20090427
WNMA264	855.8375	GB	BLACKJACK RD 7 MI E OF MORRILL RD	STARKVILLE	MS	20071204
	855.8375	GB	1860 RIDGE RD	COLUMBUS	MS	20071204
WNNM2813	854.1375	GB	ARPT MARRIOTT 4711 BEST RD	COLLEGE PARK	GA	20100214
	855.8375	GB	ARPT MARRIOTT 4711 BEST RD	COLLEGE PARK	GA	20100214
	854.1375	GB	HOLIDAY INN 6288 OLD JONESBORO RD	JONESBORO	GA	20100214
	855.8375	GB	HOLIDAY INN 6288 OLD JONESBORO RD	JONESBORO	GA	20100214
	854.1375	GB	CARTER HALL 450 CAPITOL AVE SE	ATLANTA	GA	20100214
	855.8375	GB	CARTER HALL 450 CAPITOL AVE SE	ATLANTA	GA	20100214
	854.1375	GB	ATOP STONE MOUNTAIN	STONE MOUNTAIN	GA	20100214
	855.8375	GB	ATOP STONE MOUNTAIN	STONE MOUNTAIN	GA	20100214
	854.1375	GB	SWEAT MOUNTAIN 10 KM NW ON WIGGLE RD	ROSWELL	GA	20100214
	855.8375	GB	SWEAT MOUNTAIN 10 KM NW ON WIGGLE RD	ROSWELL	GA	20100214
	855.8375	GB	MARRIOTT GWINNETT PL 1775 PLEASANT HILL	DULUTH	GA	20100214
WNR1515	854.1375	GB	5993 PEACHTREE INDUSTRIAL BLVD	NORCROSS	GA	20101018

Exhibit A
Motient License Inc.
Guard Band Relocation Elections in Southeastern United States

Call Sign	Frequency (MHz)	Radio Service	Transmit Address	City	State	Expiration Date
	855.8375	GB	5993 PEACHTREE INDUSTRIAL BLVD	NORCROSS	GA	20101018
	855.8375	GB	300 EASTSIDE DR	ALPHARETTA	GA	20101018
WNSR605	855.8375	GB	CSX FLOMATION WAWBEEK TWR 15200	ATMORE	AL	20100718
WNZI964	855.8375	GB	Nationwide (excluding border areas US)		US	20120527
WPDU227	854.3625	GX	LAKECIRCLE DR MCI SITE	GREENVILLE	GA	20110223
WPPB247	855.8375	GB	114 TOWER ROAD	CUMMING	GA	20091001
WPPX294	854.1375	GX	COLUMBIA WOODS DRIVE	PANTHERSVILLE	GA	20100224
WPPY789	855.8375	GB	6821 HWY 78	DOUGLASVILLE	GA	20100320
WPPZ859	854.1375	GX	3489 LAWRENCEVILLE HIGHWAY	TUCKER	GA	20100410
WPQD699	855.0125	GB	673 CREST ROAD	CHELSEA	AL	20100605
WPQD705	855.0125	GB	81ST ST HILL	BIRMINGHAM	AL	20100605
WPQF506	855.0125	GB	2323 OLD TYLER ROAD	HOOVER	AL	20100623
WPSE995	858.8375	GB	123 PEACHTREE SREET	ATLANTA	GA	20110402
WPSI670	860.8375	GB	123 PEACHTREE STREET	ATLANTA	GA	20110510
WPTD399	855.8375	GB	3489 LAWRENCEVILLE HIGHWAY	TUCKER	GA	20110904