DAN L. HARDWAY

ATTORNEY AT LAW

ADMITTED IN WV, FL, NC & IN

February 6, 2006

VIA E-MAIL & MAIL & FAX
800 MHz Transition Administrator, LLC
c/o Steven Lederman
Squire, Sanders & Dempsey, L.L.P.
1201 Pennsylvania Ave. NW
P.O. Box 407
Washington, DC 20044-0407
elections@800TA.org
(866) 432-8317

Re: EA Licensee Election of Skitronics, LLC

Dear Mr. Lederman:

Pursuant to the January 11, 2006 Press Release from the 800 MHz Transition Administrator entitled "800 MHz Transition Administrator to Open Filing Window for EA Elections," Skitronics, LLC, ("Skitronics") hereby makes its EA Licensee Relocation Election reaffirming prior correspondence with your office filed in connection with that issue as detailed below. In response to the bulleted items set forth under the Supporting Information, 1. New Elections, section of the Press Release, Skitronics responds as follows:

- Please direct all questions or correspondence to the undersigned counsel at the following address:

  Dan L. Hardway, Esq.
  PO Box 1898
  86 E. Depot Street
  Angier, NC 27501
  (919) 639-7145
  fax: (919) 639-3222
  dan@hardwaylaw.com

- The call signs of all relevant licenses are contained in the attached Exhibit 1.

- Skitronics elects to relocate all of the licenses set forth in the attached Exhibit 1 (both site-based and EA) into the ESMR portion of the 800 MHz band.

- Skitronics was not operating an 800 MHz Cellular System as of November 22, 2004.

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- Skitronics has the spectrum capacity to construct and operate an 800 MHz Cellular System as defined in FCC Order, Improving Public Safety in the 800 MHZ Band, WT Docket 02-55, Memorandum Opinion and Order, released October 5, 2005 (the *Memorandum Opinion and Order)* and the Commission's Rules, and intends ultimately to operate an ESMR system within the ESMR portion of the 800 MHz band. Specifically, Skitronics is eligible to elect to move all of the licenses set forth in the attached Exhibit 1 (both site-based and EA) into the ESMR portion of the 800 MHz band pursuant to paragraphs 23 to 28 of the *Memorandum Opinion and Order* and hereby elects to do so.

- Skitronics, as an EA licensee electing to relocate site-based licenses has attached, as Exhibit 2, documentary evidence that each site-based license was an integral part of its EA-based system as of November 22, 2004, as the site based licenses are all located within the geographical boundaries of the relevant EAs.

All facts set forth in the preceding bulleted paragraphs are supported by the attached declaration under penalty of perjury of John Komorowski, made in accordance with the requirements of Section 1.16 of the Commission's rules. (As Section 1.16 is explicitly intended to do away with the requirement of notarization, the Komorowski declaration is not notarized. However, it is authentic.)

Skitronics has previously filed two statements with the Transition Administrator for the purpose of making a conditional election and preserving its rights pending resolution of a petition for review of the Report and Order pending with the US Court of Appeals for the District of Columbia Circuit, Case No. 04-1413. See attached copies of Letter of David J. Kaufman to Robert B. Kelly, Esq, May 10, 2005 (Exhibit 3); and Letter of David J. Kaufman to Robert B. Kelly, Esq, January 20, 2005 (Exhibit 4). In the event that either of the prior filings should be considered to be an election by Skitronics to move to the ESMR portion of the band, Skitronics hereby reaffirms such election and sets forth the following responses to the bulleted items set forth under the Supporting Information, 2. Licensees with Existing Elections, section of the January 11, 2006, Press Release:

- Please direct all questions or correspondence to the undersigned counsel at the following address:

  Dan L. Hardway, Esq.
  PO Box 1898
  86 E. Depot Street
  Angier, NC 27501
  (919) 639-7145
  fax: (919) 639-3222
  dan@hardwaylaw.com

- The call signs of all relevant licenses are contained in the attached Exhibit 1.

- Skitronics elects to relocate all of the licenses set forth in the attached Exhibit 1(both site-based and EA) into the ESMR portion of the 800 MHz band.

- Skitronics was not operating an 800 MHz Cellular System as of November 22, 2004.

- Skitronics has the spectrum capacity to construct and operate an 800 MHz Cellular System as defined in FCC Order, Improving Public Safety in the 800 MHZ Band, WT Docket 02-55, Memorandum Opinion and Order, released October 5, 2005 (the *Memorandum Opinion and Order)* and the Commission's Rules, and intends ultimately to operate an ESMR system within the ESMR portion of the 800 MHz band. Specifically, Skitronics is eligible to elect to move all of the licenses set forth in the attached Exhibit 1 (both site-based and EA) into the ESMR portion of the 800 MHZ band pursuant to paragraphs 23 to 28 of the *Memorandum Opinion and Order* and elects to do so.

- Skitronics, as an EA licensee electing to relocate site-based licenses has attached, as Exhibit 2, documentary evidence that each site-based license was an integral part of its EA-based system as of November 22, 2004.

All facts set forth in the preceding bulleted paragraphs are supported by the attached declaration under penalty of perjury of John Komorowski, made in accordance with the requirements of Section 1.16 of the Commission's rules. (As Section 1.16 is explicitly intended to do away with the requirement of notarization, the Komorowski declaration is not notarized. However, it is authentic.)

Very truly yours

/s/ Dan L. Hardway

Dan L. Hardway

Attachments – Ex. 1- channel list
Ex. 2- documentary integration evidence
Ex. 3- May 10, 2005, letter
Ex. 4- January 20, 2005 letter
Section 1.16 declaration

cc: Federal Communications Commission (via ECFS)
David Kaufman
Skitronics, LLC

EXHIBIT 1

CALL SIGN	EA License Y=EA N=site based	Channel	# locations	EA's Covered
WPSA463	Y	312		BEA021
		352		BEA021
		392		BEA021
		432		BEA021
		472		BEA021
WPSA464	Y	314		BEA024
		354		BEA024
		394		BEA024
		434		BEA024
		474		BEA024
WPSA465	Y	314		BEA048
		354		BEA048
		394		BEA048
		434		BEA048
		474		BEA048
WPSA466	Y	317		BEA25
		357		BEA25
		397		BEA25
		437		BEA25
		477		BEA25
WPSA467	Y	333		BEA048
		373		BEA048
		413		BEA048
		453		BEA048
		493		BEA048
WPSA468	Y	334		BEA021
		374		BEA021
		414		BEA021
		454		BEA021
		494		BEA021
WPSA469	Y	334		BEA022
		374		BEA022
		414		BEA022
		454		BEA022
		494		BEA022
WPSA470	Y	336		BEA025
		376		BEA025
		416		BEA025
		456		BEA025
		496		BEA025

EXHIBIT 1

CALL SIGN	EA License Y=EA N=site based	Channel	# locations	EA's Covered
WPKT224	N	282	6	019, 021, 022, 025
		294	6	019, 021, 022, 025
		463	6	019, 021, 022, 025
		464	6	019, 021, 022, 025
		503	6	019, 021, 022, 025
		504	6	019, 021, 022, 025
WPMJ833	N	312	1	019, 021
		352	1	019, 021
		392	1	019, 021
		432	1	019, 021
		472	1	019, 021
WPHR500	N	325	2	021, 018, 022, 023
		365	2	021, 018, 022, 023
		405	3	021, 018, 022, 023
		445	3	021, 018, 022, 023
		485	1	021, 018, 022, 023
		482	2	021, 018, 022, 023
		447	1	021, 018, 022, 023
		442	1	021, 018, 022, 023
		362	1	021, 018, 022, 023
		322	1	021, 018, 022, 023
WPHR496	N	325	5	025, 022, 019, 021
		365	5	025, 022, 019, 021
		405	5	025, 022, 019, 021
		445	5	025, 022, 019, 021
		485	4	025, 022, 019, 021
		482	1	025, 022, 019, 021
WNPW247	N	312	1	BEA021
		352	1	BEA021
		392	1	BEA021
		432	1	BEA021
WPKT223	N	282	6	018, 019, 021
		294	6	018, 019, 021
		463	6	018, 019, 021
		464	6	018, 019, 021
		503	6	018, 019, 021
		504	6	018, 019, 021

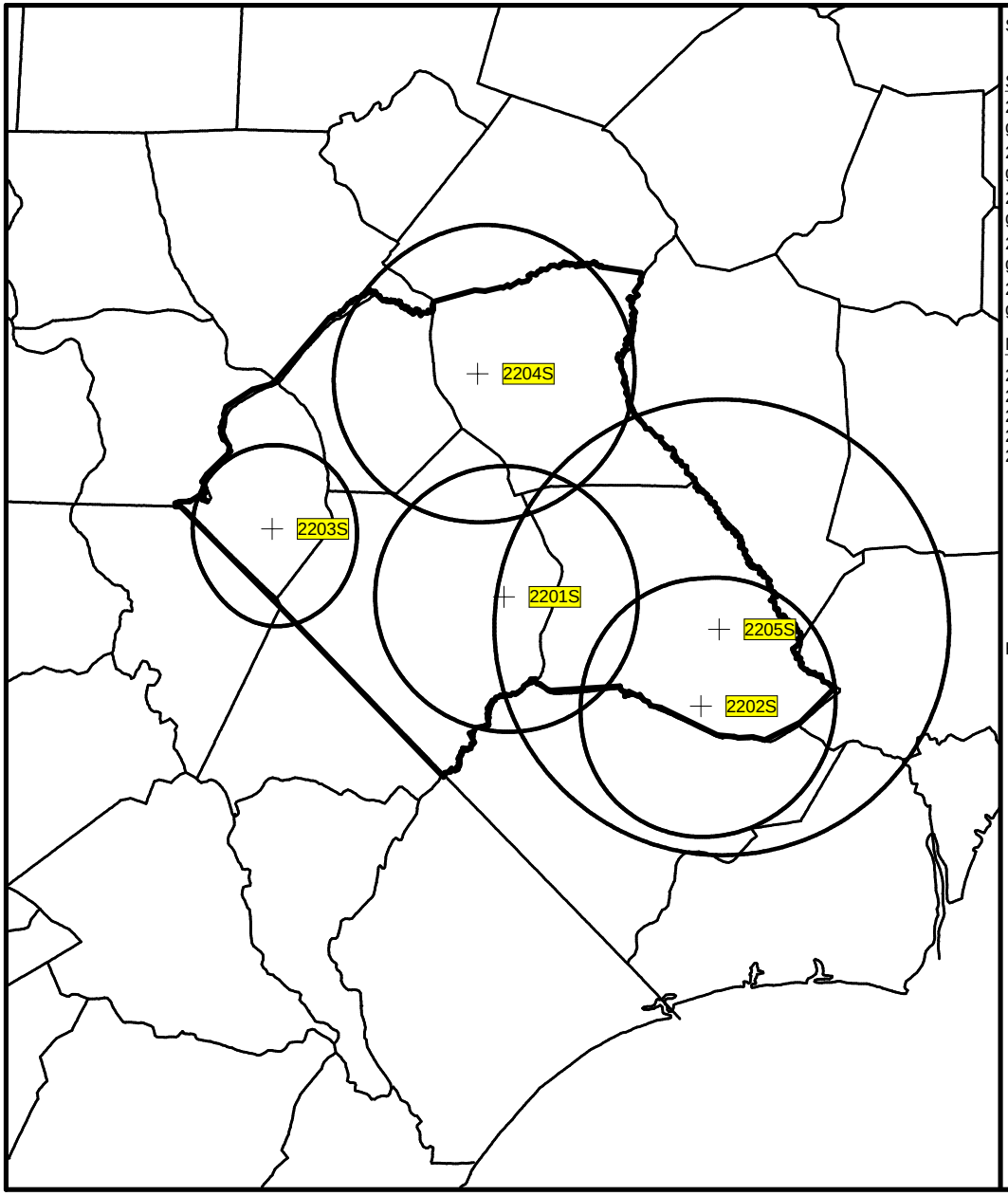
EXHIBIT 1

CALL SIGN	EA License Y=EA N=site based	Channel	# locations	EA's Covered
WPKT222	N	282	6	022, 019, 021
		294	6	022, 019, 021
		463	6	022, 019, 021
		464	6	022, 019, 021
		503	6	022, 019, 021
		504	6	022, 019, 021
WPWK894	N	362	1	BEA019
WPVC541	N	426	1	021, 019, 025
WPTA749	N	292	1	021, 019, 025
WPSY507	N	317	1	BEA025
		357	1	BEA025
		397	1	BEA025
		437	1	BEA025
		477	1	BEA025
WPSU324	N	331	1	BEA025
		371	1	BEA025
		411	1	BEA025
WPSN347	N	467	1	BEA021
		427	1	BEA021
		344	1	BEA021
		383	1	BEA021
		302	1	BEA021
WPSI912	N	291	1	021, 025
		263	1	021, 025
		264	1	021, 025
		505	1	021, 025
		506	1	021, 025
WPSI638	N	466	1	BEA021
		426	1	BEA021
		386	1	BEA021
		507	1	BEA021
		347	1	BEA021
WPRX924	N	505	1	022, 025, 019, 021
		264	1	022, 025, 019, 021
WPPL295	N	301	1	019, 021, 022
		342	1	019, 021, 022
		382	1	019, 021, 022
		422	1	019, 021, 022
WPMP542	N	342	1	BEA025
		505	1	BEA025

EXHIBIT 1

CALL SIGN	EA License Y=EA N=site based	Channel	# locations	EA's Covered
WPPW344	N	318	1	BEA021
		358	1	BEA021
		398	1	BEA021
		438	1	BEA021
		478	1	BEA021
KNNR224	N	283	1	018, 019
		345	1	018, 019
		384	1	018, 019
		502	1	018, 019
WPHE947	N	291	1	BEA019
WPDA556	N	277	1	019, 021
		326	1	019, 021
		366	1	019, 021
		406	1	019, 021
		446	1	019, 021
		486	1	019, 021
WPUA776	N	383	1	BEA019
		423	1	BEA019
WPSI636	N	272	1	019, 021
WPSI635	N	347	1	021, 025
		283	1	021, 025
		423	1	021, 025
		384	1	021, 025
		343	1	021, 025
WPUQ262	N		1	025
	N		1	025
WPUU374	N		1	025, 026
	N		1	025, 026
	N		1	025, 026
	N		1	025, 026
	N		1	025, 026
WQBA502	N		1	19
	N		1	19
	N		1	19

Exhibit 2A



SIGNAL™: EA 22 SKITRONICS.map

Site	Ant. AMSL (m)	Elev. (dBW)	ERPd	Ant. Type /Orient.	Coordinates
2201S	140.0		17.10	Omni-V	N34°38'28.00"
group: 1	800.0000 MHz				W78°55'44.00"
2202S	118.0		17.10	Omni-V	N34°26'05.00"
group: 1	800.0000 MHz				W78°28'44.00"
2203S	92.0		19.00	Omni-V	N34°46'03.00"
group: 1	800.0000 MHz				W79°27'38.00"
2204S	273.0		13.40	Omni-V	N35°03'36.00"
group: 1	800.0000 MHz				W78°59'23.00"
2205S	598.0		15.00	Omni-V	N34°34'45.00"
group: 1	800.0000 MHz				W78°26'11.00"

Notes

2201S WPHR496 POP 89,621
2202S WPHR496 POP 13,862
2203S WPHR496 POP 40,570
2204S WPKT222 POP 302,820
2205S WPRX924 POP 36,122

KILOMETERS

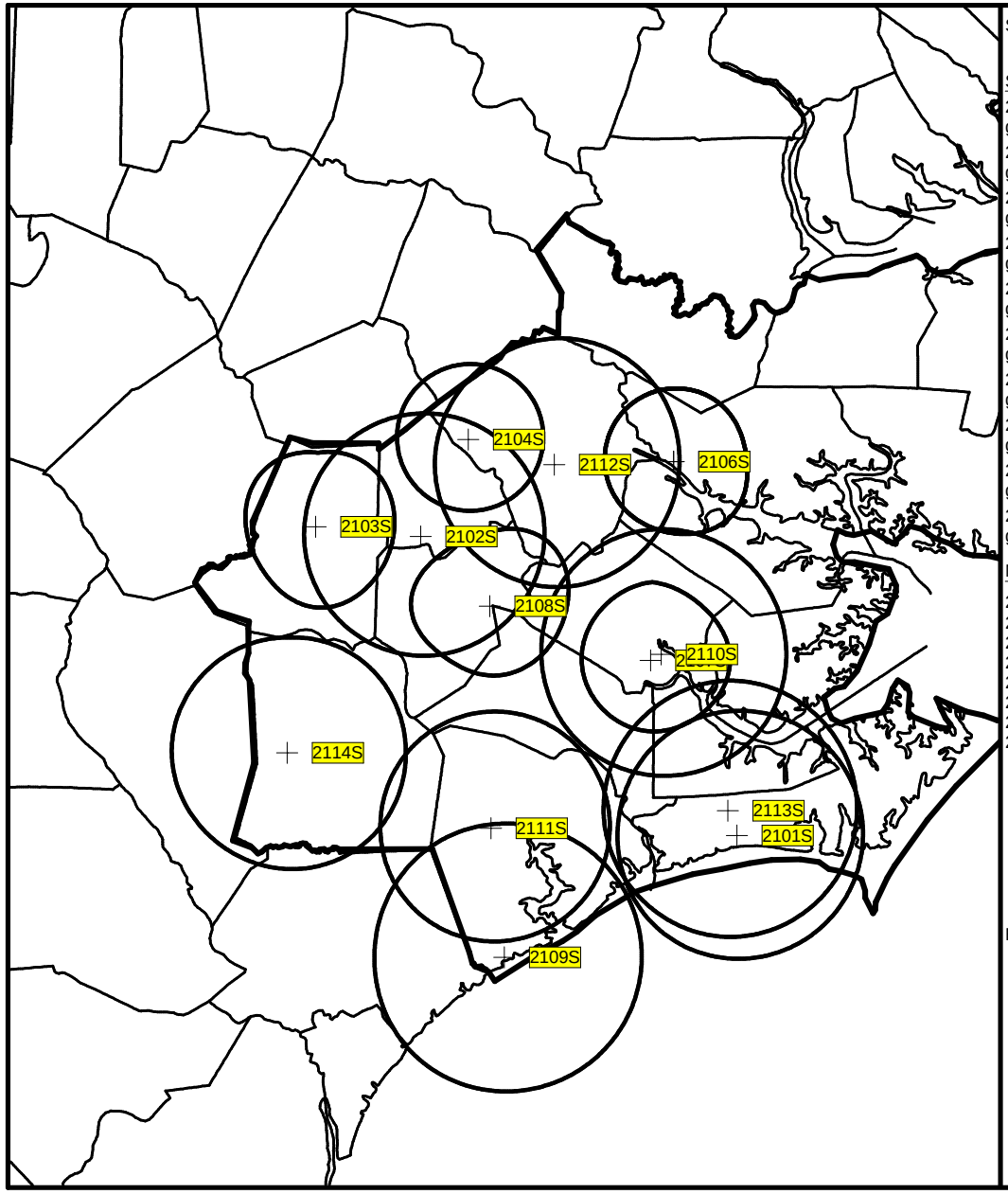
-25 0 50

40 dBu CONTOUR STUDY

SKITRONICS

EXH TCG-1 EA 22

Exhibit 2B



SIGNAL™: EA 21 SKITRONICS.map

Site	Ant. Elev. AMSL (m)	ERPd (dBW)	Ant. Type /Orient.	Coordinates
2101S	162.0	14.60	Omni-V	N34°45'08.00"
group: 1	800.0000 MHz			W76°52'56.00"
2102S	140.0	16.80	Omni-V	N35°23'30.00"
group: 1	800.0000 MHz			W77°42'29.00"
2103S	71.0	19.00	Omni-V	N35°24'40.00"
group: 1	800.0000 MHz			W77°59'02.00"
2104S	44.0	19.20	Omni-V	N35°35'55.00"
group: 1	800.0000 MHz			W77°35'00.00"
2105S	39.0	18.80	Omni-V	N35°33'01.00"
group: 1	800.0000 MHz			W77°02'34.00"
2106S	39.0	18.80	Omni-V	N35°33'01.00"
group: 1	800.0000 MHz			W77°02'34.00"
2107S	38.0	18.80	Omni-V	N35°07'36.00"
group: 1	800.0000 MHz			W77°06'19.00"
2108S	48.0	18.80	Omni-V	N35°14'34.00"
group: 1	800.0000 MHz			W77°31'36.00"
2109S	222.0	13.70	Omni-V	N34°29'39.00"
group: 1	800.0000 MHz			W77°29'17.00"
2110S	216.0	12.00	Omni-V	N35°08'23.00"
group: 1	800.0000 MHz			W77°04'40.00"

Notes

2101S WNPW247 POP 80,291 / 2102S WPHR500 POP 154,836
2103S WPKT222 POP 91,730 / 2104S WPKT222 POP 33,075
2105S WPKT222 POP 30,843 / 2106S WPKT222 POP 30,843
2107S WPKT223 POP 47,620 / 2108S WPKT223 POP 52,042
2109S WPKT224 POP 95,624 / 2110S WPPW344 POP 70,183
2111S WPSI635 POP 141,028 / 2112S WPSI638 POP 135,423
2113S WPSN347 POP 85,884 / 2114S WPTA749 POP 33,364
2115S WPVC541 (SAME AS 2114S)

KILOMETERS

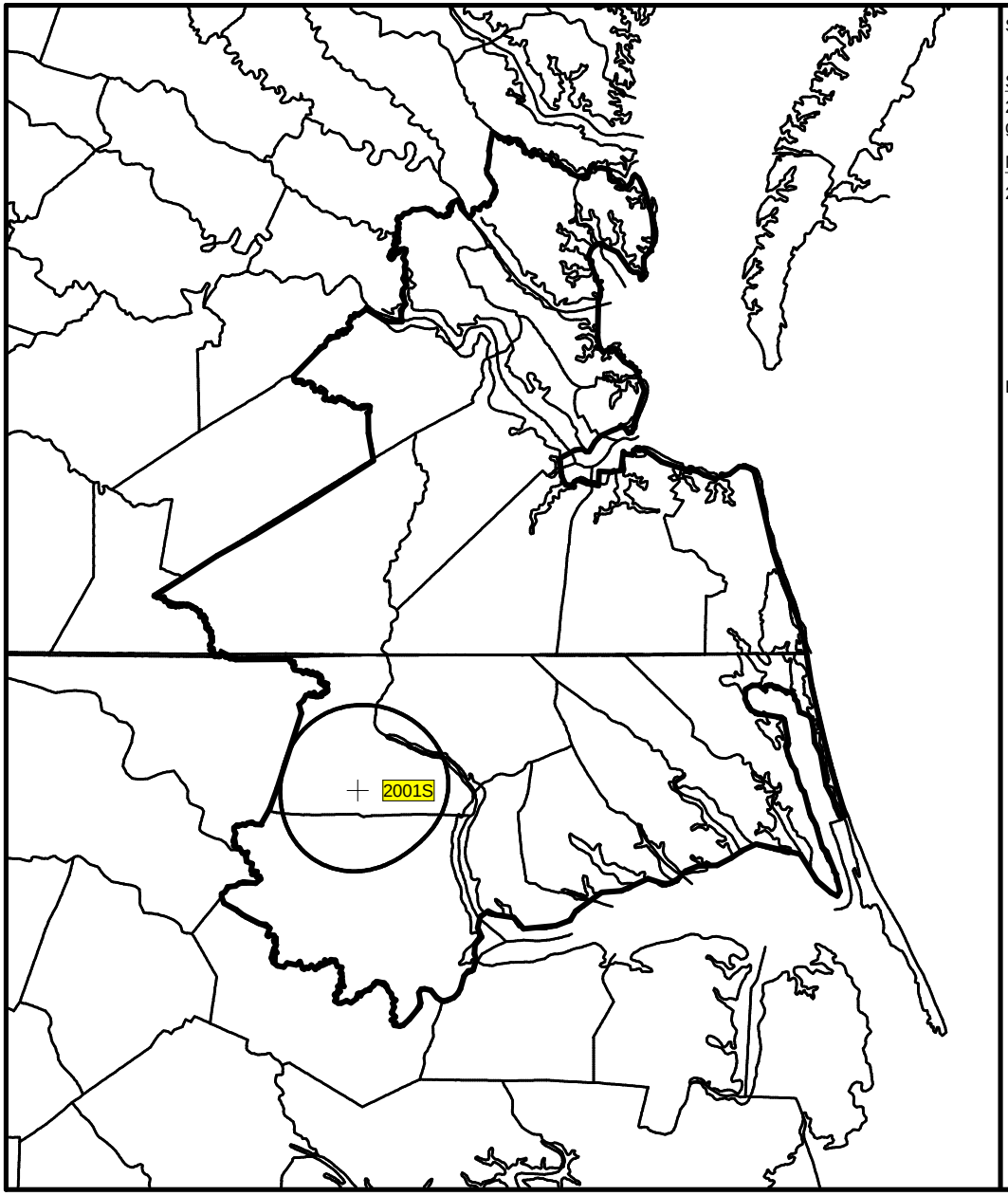
-25 0 50

40 dBu CONTOUR STUDY

SKITRONICS

EXH TCG-1 EA 21

Exhibit 2C



SIGNAL™: EA 20 SKITRONICS.map

Site	Ant. Elev. AMSL (m)	ERPd (dBW)	Ant. Type /Orient.	Coordinates
2001S	48.0	18.80	Omni-V	N36°17'15.00"
group: 1	800.0000 MHz			W76°59'08.00"

Notes

2001S WPKT223 POP 21,275

KILOMETERS

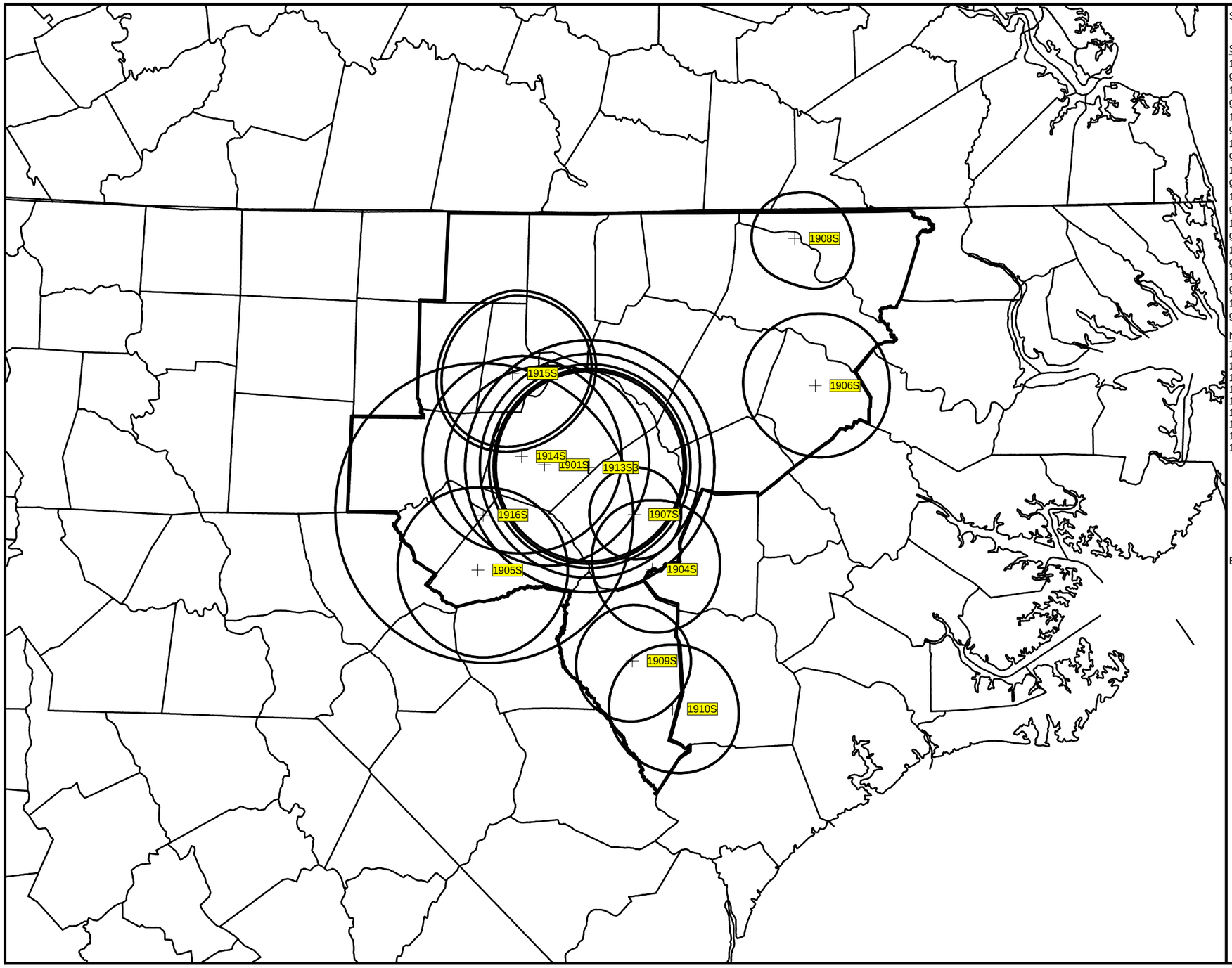
-25 0 50

40 dBu CONTOUR STUDY

SKITRONICS

EXH TCG-1 EA 20

Exhibit 2D



SIGNAL™: EA 19 SKITRONICS.map

Site	Ant. Elev. ERPd Ant. Type AMSL (m)(dBW)Orient.	Coordinates
1901S	267.0 21.00Omni-V	N35°41'07.00"
group: 1	800.0000 MHz	W78°43'13.00"
1902S	669.0 7.70Omni-V	N35°40'35.00"
group: 1	800.0000 MHz	W78°32'08.00"
1902S2	669.0 8.30Omni-V	N35°40'35.00"
group: 1	800.0000 MHz	W78°32'08.00"
1902S3	669.0 15.00Omni-V	N35°40'35.00"
group: 1	800.0000 MHz	W78°32'08.00"
1903S	241.0 16.70Omni-V	N35°59'55.00"
group: 1	800.0000 MHz	W78°51'27.00"
1904S	146.0 15.00Omni-V	N35°19'39.00"
group: 1	800.0000 MHz	W78°15'54.00"
1905S	241.0 16.90Omni-V	N35°19'24.00"
group: 1	800.0000 MHz	W78°59'57.00"
1906S	122.0 16.90Omni-V	N35°57'15.00"
group: 1	800.0000 MHz	W77°34'19.00"
1907S	60.0 19.30Omni-V	N35°30'55.00"
group: 1	800.0000 MHz	W78°20'29.00"
1908S	82.5 18.80Omni-V	N36°27'31.00"
group: 1	800.0000 MHz	W77°39'18.00"

Notes

1901S KNNR224 POP 573,731 / 1902S WPDA556 POP 512,345
1903S WPHE947 POP 505,225 / 1904S WPHR496 POP 42,758
1905S WPHR500 POP 94,624 / 1906S WPHR500 POP 110,808
1907S WPKT222 POP 44,986 / 1908S WPKT223 POP 41,302
1909S WPKT223 POP 33,291 / 1910S WPKT224 POP 21,531
1911S WPMJ833 POP 575,497 / 1912S WPPL295 POP 665,489
1913S WPSI636 POP 531,935 / 1914S WPUA776 POP 670,137
1915S WPWK894 POP 452,076 / 1916S WQBA502 POP 773,609
1902S2 WPDA556 POP 518,926 / 1902S3 WPDA556 POP 665,489

KILOMETERS

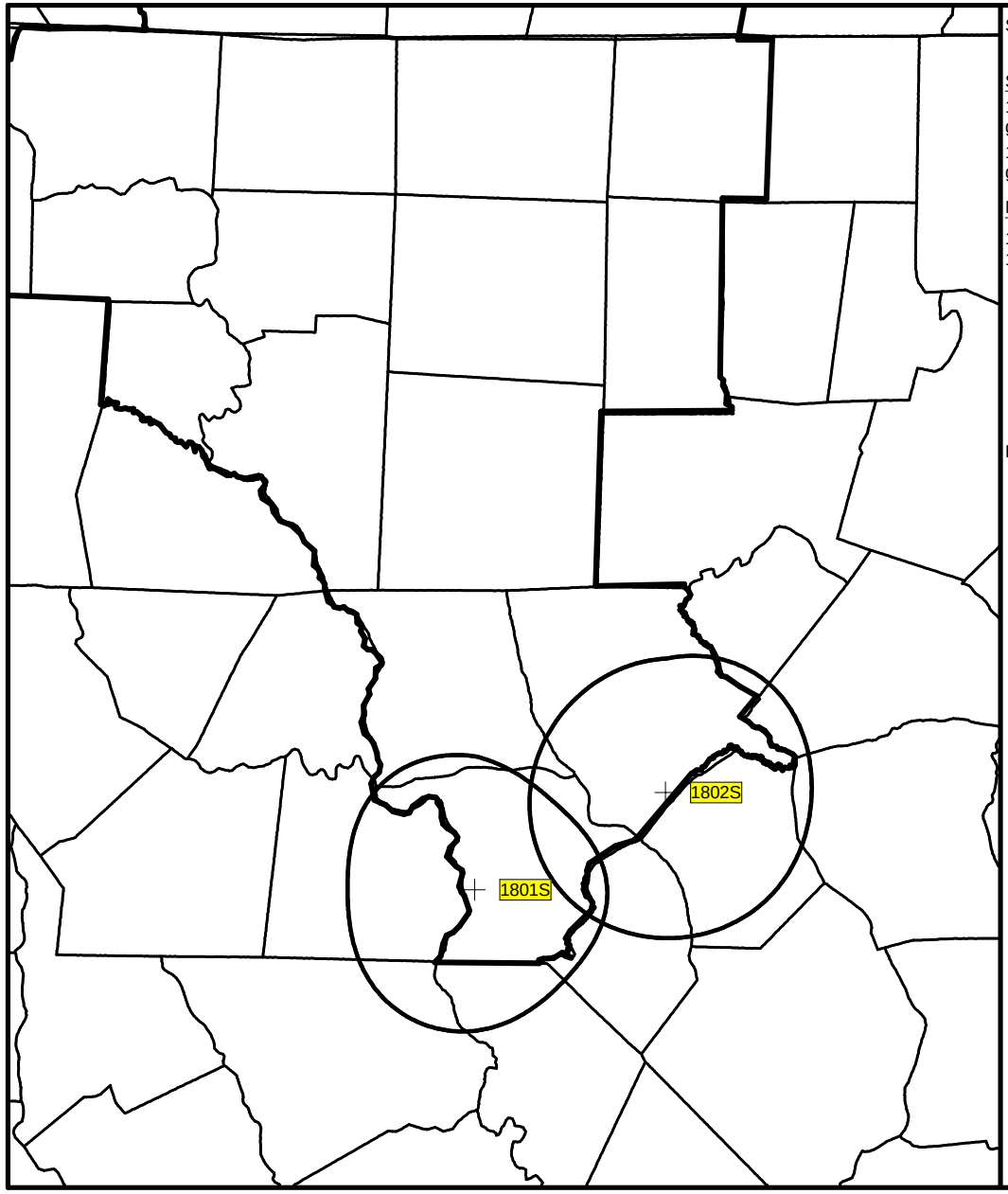
-25 0 50

40 dBu CONTOUR STUDY

SKITRONICS

EXH TCG-1 EA 19

Exhibit 2E



SIGNAL™: EA 18 SKITRONICS.map

Site	Ant. Elev. AMSL (m)	ERPd (dBW)	Ant. Type /Orient.	Coordinates
1801S	184.0	17.00	Omni-V	N34°56'50.00"
group: 1	800.0000 MHz			W79°49'54.00"
1802S	221.0	18.00	Omni-V	N35°07'47.00"
group: 1	800.0000 MHz			W79°23'29.00"

Notes

1801S WPHR500 POP 43,815
1802S WPKT223 POP 49,627

KILOMETERS

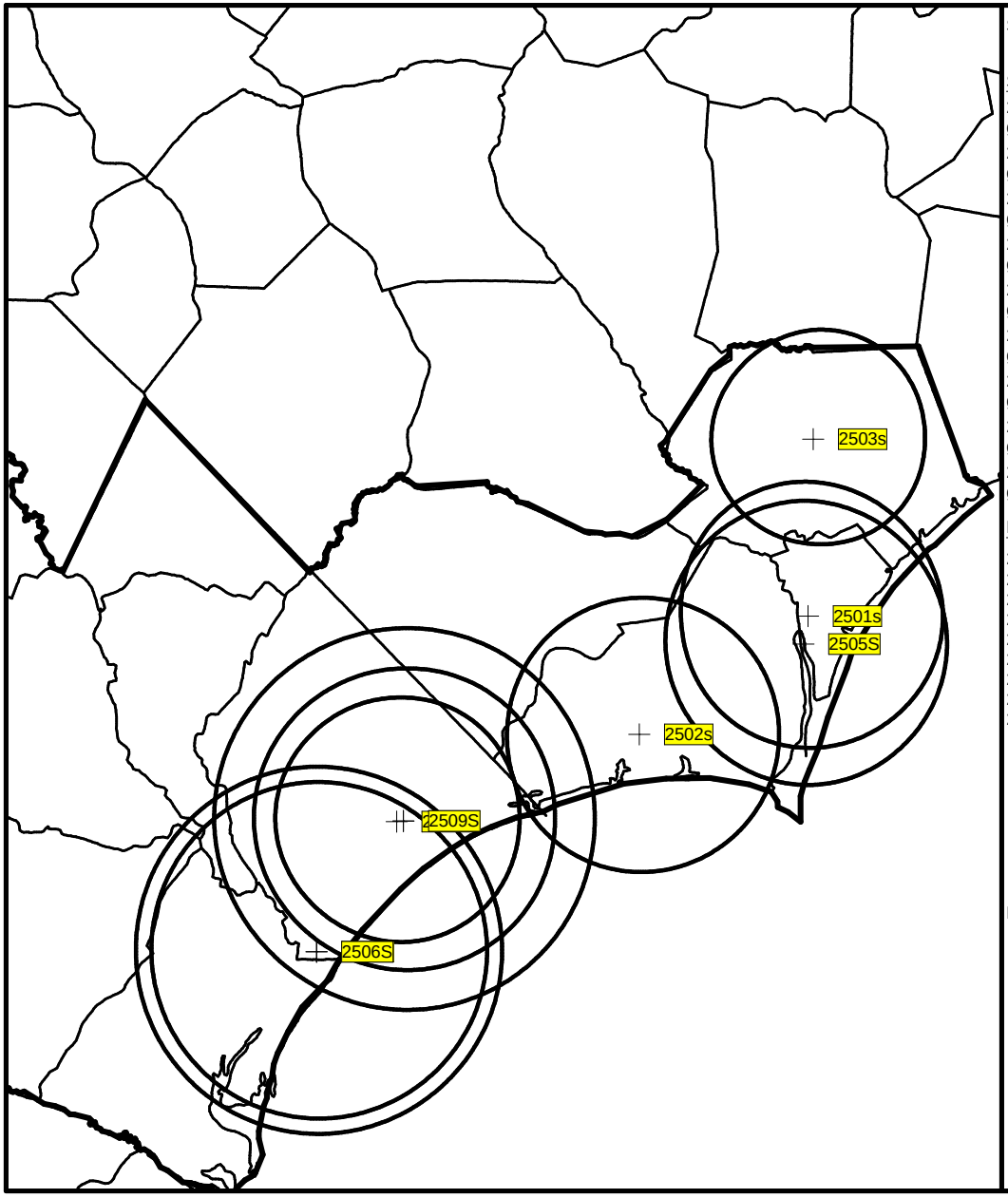
-25 0 50

40 dBu CONTOUR STUDY

SKITRONICS

EXH TCG-1 EA 18

Exhibit 2F



SIGNAL™: EA 25 SKITRONICS.map

Site	Ant. Elev. AMSL (m)	ERPd (dBW)	Ant. Type /Orient.	Coordinates
2501s	107.0	16.90	Omni-V	N34°13'11.00"
group: 1	800.0000 MHz			W77°56'00.00"
2502s	133.0	16.10	Omni-V	N33°59'57.00"
group: 1	800.0000 MHz			W78°19'04.00"
2503s	66.0	18.10	Omni-V	N34°33'05.00"
group: 1	800.0000 MHz			W77°55'08.00"
2504S	312.0	12.80	Omni-V	N33°35'28.00"
group: 1	800.0000 MHz			W79°02'52.00"
2505S	157.0	15.00	Omni-V	N34°10'02.00"
group: 1	800.0000 MHz			W77°56'38.00"
2506S	313.0	15.00	Omni-V	N33°35'28.00"
group: 1	800.0000 MHz			W79°02'54.00"
2507S	189.0	15.00	Omni-V	N33°50'13.00"
group: 1	800.0000 MHz			W78°51'10.00"
2508S	159.0	12.00	Omni-V	N33°50'08.00"
group: 1	800.0000 MHz			W78°52'05.00"
2509S	189.0	21.00	Omni-V	N33°50'13.00"
group: 1	800.0000 MHz			W78°51'10.00"

Notes

2501S WPHR496 POP 143,497
2502S WPKT224 POP 38,828
2503S WPKT224 POP 18,565
2504S WPMP542 POP 127,832
2505S WPSI912 POP 146,355
2506S WPSU324 POP 109,184
2507S WPSY507 POP 137,052
2508S WPUQ262 POP 109,184
2509S WPUU374 POP 164,304

KILOMETERS

-25 0 50

40 dBu CONTOUR STUDY

SKITRONICS

EXH TCG-1 EA 25

Exhibit 2G

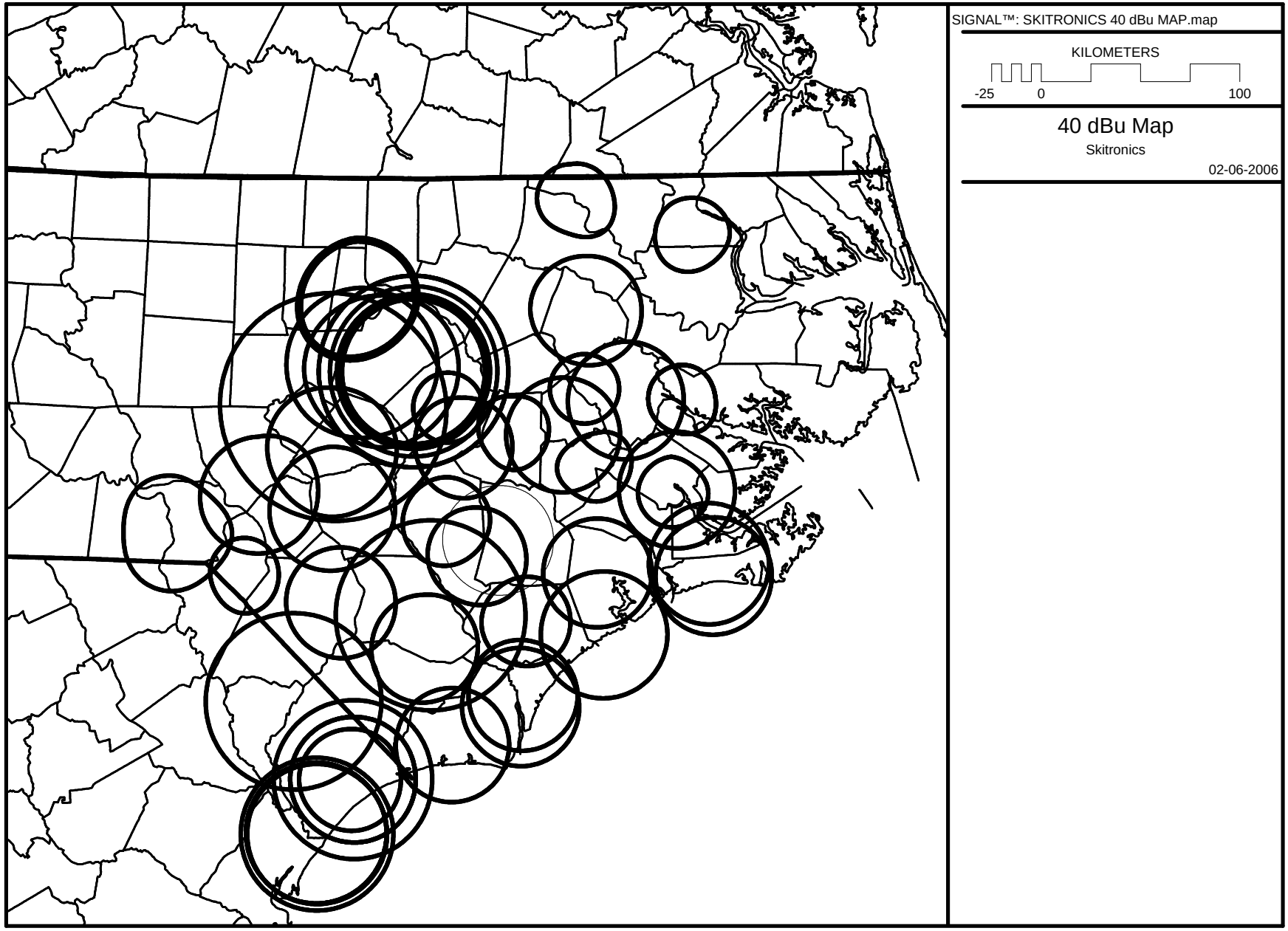

SIGNAL™: SKITRONICS 40 dBu MAP.map
KILOMETERS
-25
0
100
40 dBu Map
Skitronics
02-06-2006

Exhibit 2H

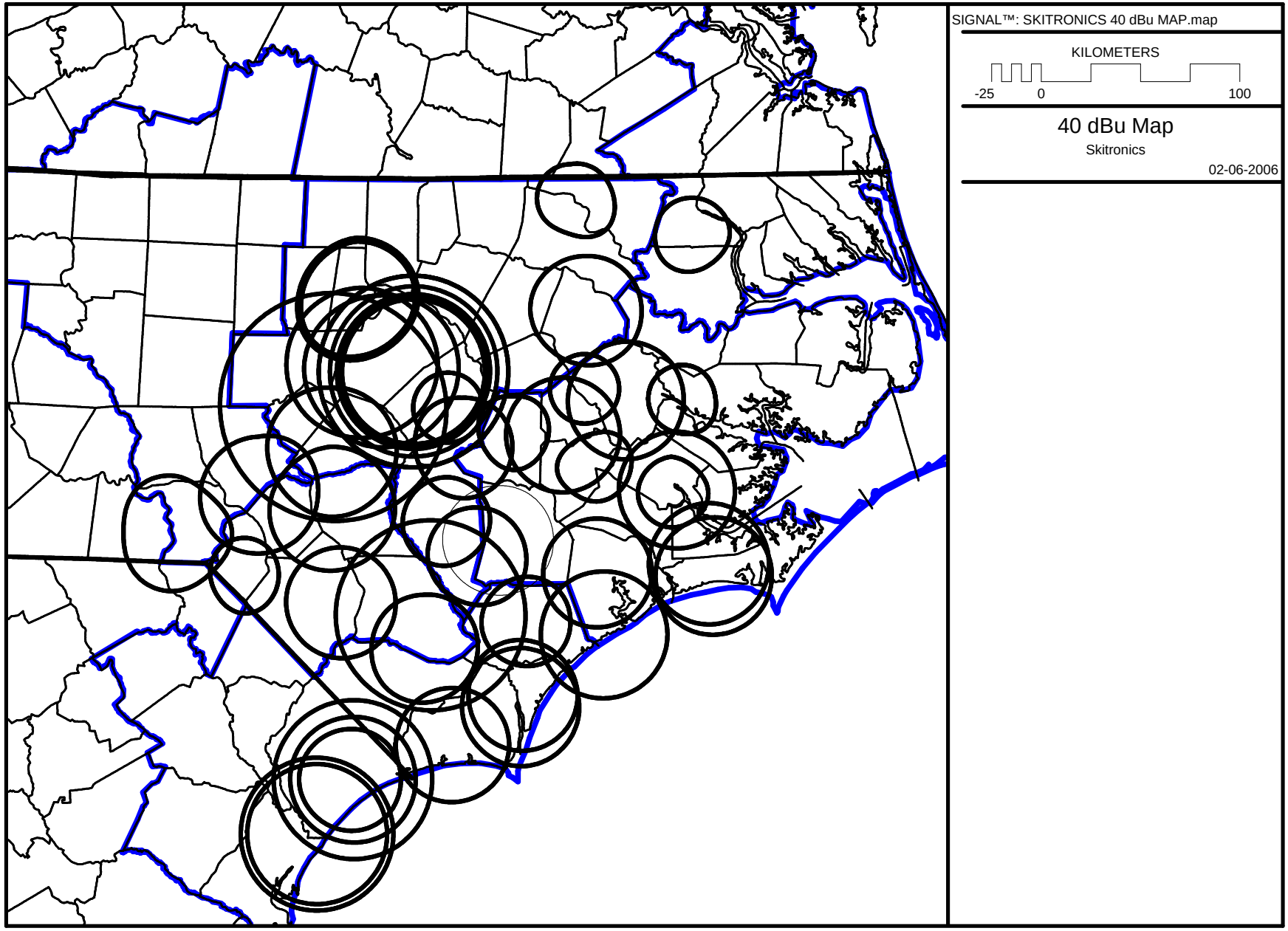

SIGNAL™: SKITRONICS 40 dBu MAP.map
KILOMETERS
-25
0
100
40 dBu Map
Skitronics
02-06-2006

Exhibit 3

LAW OFFICES
BROWN NIETERT & KAUFMAN, CHARTERED
SUITE 450
1301 CONNECTICUT AVE., N.W.
WASHINGTON, D.C. 20036

TEL (202) 887-0600
FAX (202) 223-8685

David J. Kaufman
Lorretta K. Tobin

Richard L. Brown
Robyn G. Nietert
Of Counsel

May 10, 2005

VIA E-MAIL + MAIL
800 MHz Transition Administrator
c/o Robert B. Kelly, Esq.
Squires Sanders & Dempsey, LLP
1201 Pennsylvania Ave. NW
P.O. Box 407
Washington, DC 20044-0407
elections@800TA.org

Re: EA Licensee Election of Skitronics, LLC

Dear Mr. Kelly:

Pursuant to the April 21, 2005 Press Release from the 800 MHz Transition Administrator, Skitronics, LLC ("Skitronics") hereby makes its EA Licensee Relocation Election. In response to the bulleted items set forth in page 3 of the Press Release, Skitronics responds as follows:

Please direct all questions or correspondence to the undersigned counsel.

The call signs of all relevant licenses are contained in the attached exhibit.

Skitronics is currently prosecuting appellate review of the Commission's orders in this proceeding, Case No. 04-1413. In that proceeding, Skitronics is seeking, among other things, reversal of the Commission's orders insofar as they purport to limit Skitronics' right to relocate all of its licenses (site-based as well as EA) to the ESMR Band, and to operate in a non-ESMR format within the ESMR Band. On the assumption that Skitronics will prevail therein, Skitronics elects to relocate all of the licenses set forth in the attached exhibit (both site-based and EA) into the ESMR Band.

Even if, *arguendo*, Skitronics does not prevail in Case No. 04-1413, Skitronics would be eligible to have all of its licenses (site-based as well as EA) relocated into the ESMR Band, and would qualify for a rule waiver to have all of its licenses relocated into the ESMR Band even if were not otherwise eligible. Skitronics' 800 MHz SMR licenses are operated as one integrated whole, without regard to whether a particular channel pair is attached to a site-based license or an EA license. With the combination of its site-based and EA licenses, Skitronics has the spectrum capacity to construct and operate an ESMR system as defined in Section 90.7 of the

Commission's Rules, and intends ultimately to operate an ESMR system within the ESMR Band.

All facts set forth in the preceding three paragraphs are supported by the attached declaration under penalty of perjury of John Komorowski, made in accordance with the requirements of Section 1.16 of the Commission's rules. (As Section 1.16 is explicitly intended to do away with the requirement of notarization, the Komorowski declaration is not notarized. However, it is authentic.)

Sincerely,

David J. Kaufman

Attachments – call sign exhibit
Komorowski Declaration
cc: Skitronics, LLC
WT Docket No. 02-55 (via ECFS)

EXHIBIT 1

CALL SIGN	EA License Y=EA	N=site based	Channel	# locations	EA's Covered
WPSA463	Y		312		BEA021
			352		BEA021
			392		BEA021
			432		BEA021
			472		BEA021
WPSA464	Y		314		BEA024
			354		BEA024
			394		BEA024
			434		BEA024
			474		BEA024
WPSA465	Y		314		BEA048
			354		BEA048
			394		BEA048
			434		BEA048
			474		BEA048
WPSA466	Y		317		BEA25
			357		BEA25
			397		BEA25
			437		BEA25
			477		BEA25
WPSA467	Y		333		BEA048
			373		BEA048
			413		BEA048
			453		BEA048
			493		BEA048
WPSA468	Y		334		BEA021
			374		BEA021
			414		BEA021
			454		BEA021
			494		BEA021
WPSA469	Y		334		BEA022
			374		BEA022
			414		BEA022
			454		BEA022
			494		BEA022
WPSA470	Y		336		BEA025
			376		BEA025
			416		BEA025
			456		BEA025
			496		BEA025
CALL SIGN	EA License		Channel	# locations	EA's Covered

EXHIBIT 1

	Y=EA	N=site based			
WPKT224		N	282	6	019, 021, 022, 025
			294	6	019, 021, 022, 025
			463	6	019, 021, 022, 025
			464	6	019, 021, 022, 025
			503	6	019, 021, 022, 025
			504	6	019, 021, 022, 025
WPMJ833		N	312	1	019, 021
			352	1	019, 021
			392	1	019, 021
			432	1	019, 021
			472	1	019, 021
WPHR500		N	325	2	021, 018, 022, 023
			365	2	021, 018, 022, 023
			405	3	021, 018, 022, 023
			445	3	021, 018, 022, 023
			485	1	021, 018, 022, 023
			482	2	021, 018, 022, 023
			447	1	021, 018, 022, 023
			442	1	021, 018, 022, 023
			362	1	021, 018, 022, 023
			322	1	021, 018, 022, 023
WPHR496		N	325	5	025, 022, 019, 021
			365	5	025, 022, 019, 021
			405	5	025, 022, 019, 021
			445	5	025, 022, 019, 021
			485	4	025, 022, 019, 021
			482	1	025, 022, 019, 021
WNPW247		N	312	1	BEA021
			352	1	BEA021
			392	1	BEA021
			432	1	BEA021
WPKT223		N	282	6	018, 019, 021
			294	6	018, 019, 021
			463	6	018, 019, 021
			464	6	018, 019, 021
			503	6	018, 019, 021
			504	6	018, 019, 021
CALL SIGN	**EA License**		**Channel**	**# locations**	**EA's Covered**
	Y=EA	**N=site based**			
WPKT222		N	282	6	022, 019, 021

EXHIBIT 1

			294	6	022, 019, 021
			463	6	022, 019, 021
			464	6	022, 019, 021
			503	6	022, 019, 021
			504	6	022, 019, 021
WPWK894		N	362	1	BEA019
WPVC541		N	426	1	021, 019, 025
WPTA749		N	292	1	021, 019, 025
WPSY507		N	317	1	BEA025
			357	1	BEA025
			397	1	BEA025
			437	1	BEA025
			477	1	BEA025
WPSU324		N	331	1	BEA025
			371	1	BEA025
			411	1	BEA025
WPSN347		N	467	1	BEA021
			427	1	BEA021
			344	1	BEA021
			383	1	BEA021
			302	1	BEA021
WPSI912		N	291	1	021, 025
			263	1	021, 025
			264	1	021, 025
			505	1	021, 025
			506	1	021, 025
WPSI638		N	466	1	BEA021
			426	1	BEA021
			386	1	BEA021
			507	1	BEA021
			347	1	BEA021
WPRX924		N	505	1	022, 025, 019, 021
			264	1	022, 025, 019, 021
WPPL295		N	301	1	019, 021, 022
			342	1	019, 021, 022
			382	1	019, 021, 022
			422	1	019, 021, 022
WPMP542		N	342	1	BEA025
			505	1	BEA025
CALL SIGN	**EA License Y=EA**	**N=site based**	**Channel**	**# locations**	**EA's Covered**
WPPW344		N	318	1	BEA021
			358	1	BEA021
			398	1	BEA021

EXHIBIT 1

			438	1	BEA021
			478	1	BEA021
KNNR224		N	283	1	018, 019
			345	1	018, 019
			384	1	018, 019
			502	1	018, 019
WPHE947		N	291	1	BEA019
WPDA556		N	277	1	019, 021
			326	1	019, 021
			366	1	019, 021
			406	1	019, 021
			446	1	019, 021
			486	1	019, 021
WPUA776		N	383	1	BEA019
			423	1	BEA019
WPSI636		N	272	1	019, 021
WPSI635		N	347	1	021, 025
			283	1	021, 025
			423	1	021, 025
			384	1	021, 025
			343	1	021, 025

DECLARATION OF JOHN W. KOMOROWSKI

John W. Komorowski, under penalty of perjury, hereby states as follows:

I am the founder and chief executive officer of Skitronics, LLC ("Skitronics"). I have read the foregoing May 10, 2005 letter from David J. Kaufman to the 800 MHz Transition Administrator on behalf of Skitronics ("Election Letter"), and the call sign exhibit attached thereto, which exhibit was prepared under my supervision. All facts set forth in the Election Letter and the call sign exhibit thereto are true and correct.

Executed May 10, 2005.

John W. Komorowski

Exhibit 4

LAW OFFICES
BROWN NIETERT & KAUFMAN, CHARTERED
SUITE 450
1301 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

TEL (202) 887-0600
FAX (202) 457-0126

David J. Kaufman
Lorretta K. Tobin

Richard L. Brown
Robyn G. Nietert
Of Counsel

January 20, 2005

VIA E-MAIL + MAIL
Robert B. Kelly, Esq.
Office of Transition Administrator
c/o Squires Sanders & Dempsey, LLP
1201 Pennsylvania Ave. NW
P.O. Box 407
Washington, DC 20044-0407
rkelly@ssd.com

Re: FCC Docket No. 02-55, 800 MHz Rebanding;
Notice Re 800 MHz Channel Relocation Plans

Dear Mr. Kelly:

This firm represents Skitronics, LLC ("Skitronics") in the captioned proceeding. Skitronics is an 800 MHz SMR licensee, holding both site-based and EA auction licenses. Skitronics' 800 MHz licenses are listed in Exhibit 1 enclosed herewith and incorporated herein by reference. That exhibit identifies each license by the EA (or, as to site-based licenses, the EA(s) partially covered by the station's coverage contour), and identifies whether the license is a site-based or EA license. The channels are referenced therein according to the revised channel numbering system set forth in the newly revised Section 90.613, adopted in the *Report and Order.*[1]

Skitronics does not contend that it was operating an ESMR system (as defined by the FCC in its *Report and Order*) as of November 22, 2004. (Therefore, no declaration under penalty of perjury

[1]*Report and Order, Fifth Report and Order, Fourth Memorandum Opinion and Order, and Order*, as corrected by three *Errata* released September 10, 2004, October 6, 2004 and October 29, 2004, respectively, 19 FCC Rcd. 4969 (2004), summary published, 69 *Fed. Reg.* 67823 (November 22, 2004).

is required with this letter.) However, under the FCC's *Supplemental Order,*[2] as an EA licensee, Skitronics will have the right to elect to relocate its EA spectrum into the new ESMR band at the upper end of the Part 90 800 MHz band. Moreover, Skitronics 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 Skitronics' favor, would result in Skitronics being allowed to relocate all of its 800 MHz spectrum (whether EA or site-based) into the new ESMR band.

Accordingly, Skitronics hereby requests that the Transition Administrator, in its forthcoming report and recommended plan to be filed with the FCC on January 31, 2005, in making any recommendation or proposed rebanding within 800 MHz, ensure that such proposed rebanding plan will accommodate the relocation of all of Skitronics' 800 MHz spectrum into either the new ESMR band, or into the band immediately adjacent to the new ESMR band, as Skitronics may elect in the future depending upon the outcome of the pending court case.

Please direct any questions or correspondence concerning this matter to the undersigned.

Respectfully submitted,

David J. Kaufman

Encl. (Exhibit 1)
cc(w/encl.):
Skitronics, LLC
Federal Communications Commission (via ECFS)

[2]FCC 04-294, released December 22, 2004, not yet published in the *Federal Register*.

EXHIBIT 1

CALL SIGN	EA License Y=EA	N=site based	Channel	# locations	EA's Covered
WPSA463	Y		312		BEA021
			352		BEA021
			392		BEA021
			432		BEA021
			472		BEA021
WPSA464	Y		314		BEA024
			354		BEA024
			394		BEA024
			434		BEA024
			474		BEA024
WPSA465	Y		314		BEA048
			354		BEA048
			394		BEA048
			434		BEA048
			474		BEA048
WPSA466	Y		317		BEA25
			357		BEA25
			397		BEA25
			437		BEA25
			477		BEA25
WPSA467	Y		333		BEA048
			373		BEA048
			413		BEA048
			453		BEA048
			493		BEA048
WPSA468	Y		334		BEA021
			374		BEA021
			414		BEA021
			454		BEA021
			494		BEA021
WPSA469	Y		334		BEA022
			374		BEA022
			414		BEA022
			454		BEA022
			494		BEA022
WPSA470	Y		336		BEA025
			376		BEA025
			416		BEA025
			456		BEA025
			496		BEA025

EXHIBIT 1

CALL SIGN	EA License Y=EA	N=site based	Channel	# locations	EA's Covered
WPKT224		N	282	6	019, 021, 022, 025
			294	6	019, 021, 022, 025
			463	6	019, 021, 022, 025
			464	6	019, 021, 022, 025
			503	6	019, 021, 022, 025
			504	6	019, 021, 022, 025
WPMJ833		N	312	1	019, 021
			352	1	019, 021
			392	1	019, 021
			432	1	019, 021
			472	1	019, 021
WPHR500		N	325	2	021, 018, 022, 023
			365	2	021, 018, 022, 023
			405	3	021, 018, 022, 023
			445	3	021, 018, 022, 023
			485	1	021, 018, 022, 023
			482	2	021, 018, 022, 023
			447	1	021, 018, 022, 023
			442	1	021, 018, 022, 023
			362	1	021, 018, 022, 023
			322	1	021, 018, 022, 023
WPHR496		N	325	5	025, 022, 019, 021
			365	5	025, 022, 019, 021
			405	5	025, 022, 019, 021
			445	5	025, 022, 019, 021
			485	4	025, 022, 019, 021
			482	1	025, 022, 019, 021
WNPW247		N	312	1	BEA021
			352	1	BEA021
			392	1	BEA021
			432	1	BEA021
WPKT223		N	282	6	018, 019, 021
			294	6	018, 019, 021
			463	6	018, 019, 021
			464	6	018, 019, 021
			503	6	018, 019, 021
			504	6	018, 019, 021

EXHIBIT 1

CALL SIGN	EA License Y=EA	N=site based	Channel	# locations	EA's Covered
WPKT222		N	282	6	022, 019, 021
			294	6	022, 019, 021
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			464	6	022, 019, 021
			503	6	022, 019, 021
			504	6	022, 019, 021
WPWK894		N	362	1	BEA019
WPVC541		N	426	1	021, 019, 025
WPTA749		N	292	1	021, 019, 025
WPSY507		N	317	1	BEA025
			357	1	BEA025
			397	1	BEA025
			437	1	BEA025
			477	1	BEA025
WPSU324		N	331	1	BEA025
			371	1	BEA025
			411	1	BEA025
WPSN347		N	467	1	BEA021
			427	1	BEA021
			344	1	BEA021
			383	1	BEA021
			302	1	BEA021
WPSI912		N	291	1	021, 025
			263	1	021, 025
			264	1	021, 025
			505	1	021, 025
			506	1	021, 025
WPSI638		N	466	1	BEA021
			426	1	BEA021
			386	1	BEA021
			507	1	BEA021
			347	1	BEA021
WPRX924		N	505	1	022, 025, 019, 021
			264	1	022, 025, 019, 021
WPPL295		N	301	1	019, 021, 022
			342	1	019, 021, 022
			382	1	019, 021, 022
			422	1	019, 021, 022
WPMP542		N	342	1	BEA025
			505	1	BEA025

EXHIBIT 1

CALL SIGN	EA License Y=EA	N=site based	Channel	# locations	EA's Covered
WPPW344		N	318	1	BEA021
			358	1	BEA021
			398	1	BEA021
			438	1	BEA021
			478	1	BEA021
KNNR224		N	283	1	018, 019
			345	1	018, 019
			384	1	018, 019
			502	1	018, 019
WPHE947		N	291	1	BEA019
WPDA556		N	277	1	019, 021
			326	1	019, 021
			366	1	019, 021
			406	1	019, 021
			446	1	019, 021
			486	1	019, 021
WPUA776		N	383	1	BEA019
			423	1	BEA019
WPSI636		N	272	1	019, 021
WPSI635		N	347	1	021, 025
			283	1	021, 025
			423	1	021, 025
			384	1	021, 025
			343	1	021, 025

DECLARATION OF JOHN W. KOMOROWSKI

John W. Komorowski, under penalty of perjury, hereby states as follows:

I am the founder and chief executive officer of Skitronics, LLC ("Skitronics"). I have read the foregoing letter from Dan L. Hardway to the 800 MHz Transition Administrator on behalf of Skitronics ("Election Letter"), and the exhibits attached thereto, which exhibits were prepared under my supervision. All facts set forth in the Election Letter and the exhibits thereto are true and correct.

Executed February 3, 2005.

/s/ John W. Komorowski
John W. Komorowski