

Michael I. Gottdenker
Chairman & CEO

February 8, 2006

By Electronic Submission

Mr. Michael J. Wilhelm
Chief, Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau
Federal Communications Commission
Washington, DC 20554

Re: WT Docket No. 05-157
WT Docket No. 96-86
Written Ex Parte Presentation

Dear Mr. Wilhelm:

In reference to the letter from the National Public Safety Telecommunications Council (NPSTC) dated February 6, 2006, Access Spectrum, L.L.C. respectfully suggests that any Notice of Proposed Rulemaking reexamining the upper 700 MHz band should be crafted in a manner that enables the Commission to consider the widest variety of potential options.

There are numerous alternatives for the upper 700 MHz band that would benefit public safety, promote spectrum efficiency, encourage innovation, and have positive consequences for both the public safety and the adjacent commercial spectrum. The comparative economic impact for both the public and private sectors of these various alternatives will be measured in the billions of dollars. Consequently, we feel it is critical that any Notice of Proposed Rulemaking focus on public policy goals, establish a framework for evaluating options, seek comment on various proposals that have been filed in the public record in the above-captioned dockets, and encourage the sharing of innovative approaches in order to establish a record that will allow the Commission to consider a broad array of potential solutions.

At this stage, it is important that the Commission not limit in any way the creative ideas that various parties have been considering but rather convey that it is willing to consider a multitude of potential solutions to optimize the upper 700 MHz band and the efficient use of this extremely valuable public resource.

Sincerely,



cc: Cathleen Massey
James D. Schlichting
Jane Jackson
John Evanoff
Tim Maguire
Marlene H. Dortch