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**James B. Goldstein**

December 15, 2006

***By Electronic Delivery***

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: WT Docket No. 02-55; ET Docket No. 00-258; and ET Docket No. 95-18

Dear Ms. Dortch:

On August 15, 2006, the 800 MHz Transition Administrator (“TA”) approved two separate Frequency Reconfiguration Agreements (the “FRAs”), Nos. DL8904416506 and DL8904419347, between Sprint Nextel Corporation (“Sprint Nextel”) and certain 800 MHz band incumbents who are members of the Safety and Frequency Equity (“SAFE”) Competition Coalition (the “SAFE Incumbents”).<sup>1</sup> These FRAs were approved by the TA based on the representations of the SAFE Incumbents in the FRAs regarding their entitlement to conditional relocation rights provided in paragraphs 23-28 of the October 5, 2005, *Memorandum Opinion and Order* (“MO&O”) in the above-referenced proceeding.

Among other things, these FRAs include a settlement agreement between Sprint Nextel and the SAFE Incumbents regarding their respective pending requests for reconsideration of the MO&O. Specifically, SAFE agreed voluntarily to dismiss its Petition for Partial Reconsideration and Clarification (filed on January 27, 2006 in the above-referenced proceeding), and Sprint Nextel agreed to limit the scope of its Petition for Reconsideration (filed on January 27, 2006, in the above-referenced proceeding), in order to be consistent with the provisions of the FRAs, which relocate the SAFE Incumbents to the upper 800 MHz Enhanced Specialized Mobile Radio (“ESMR”) channel block.

Accordingly, in light of the FRA’s described above, Sprint Nextel hereby modifies its request for relief regarding ESMR segment retuning criteria in its pending Petition for

<sup>1</sup> FRA No. DL8904416506 included Coastal SMR Network, LLC; CRSC Holdings, Inc.; A.R.C., Inc. d/b/a Antenna Rentals Corp.; Nextel Communications of the Mid-Atlantic, Inc. and Nextel South Corp., a wholly-owned indirect subsidiary of Nextel Communications, Inc.; and FRA No. DL8904419347 included Skitronics, LLC; Waccamaw Wireless, LLC; Waccamaw Wireless; Skitronics, Inc.; John W. Komorowski in his individual capacity; and Nextel South Corp., a wholly-owned indirect subsidiary of Nextel Communications, Inc.

Reconsideration so that its request no longer applies to the SAFE Incumbents, and clarifies that it does not object to the retuning of the SAFE Incumbents to the upper 800 MHz ESMR channel block consistent with the parties' FRAs.

In other words, Sprint Nextel's Petition for Reconsideration should be considered moot only to the extent of its impact on the ESMR segment retuning of the SAFE Incumbents. In all other respects, Sprint Nextel's Petition for Reconsideration remains before the Commission as filed on January 27, 2006. The implementation of these FRAs, which have been approved by the TA, would serve the public interest by facilitating voluntary reconfiguration agreements and thereby expedite the reconfiguration process.

Sincerely,

[/s/ James B. Goldstein](#)

James B. Goldstein  
Director – Spectrum Reconfiguration  
Sprint Nextel Corporation

cc: David Furth  
Michael Wilhelm