

July 12, 2007

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: Notification of *Ex Parte* Communications
WT Docket Nos. 96-86, 06-150; PS Docket No. 06-229

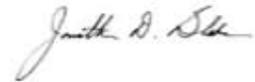
Dear Ms. Dortch:

This letter is to report permitted, oral *ex parte* communications of Frontline Wireless, LLC (“Frontline”) and its counsel concerning the above-referenced proceedings.

On July 9, 2007, Mark Fowler spoke with Commissioner Robert M. McDowell. On July 11, 2007, Janice Obuchowski, Haynes Griffin and Jonathan Blake met with Commissioner Deborah Taylor Tate and her legal advisor, Aaron Goldberger. In both conversations, the parties discussed Frontline’s Public Safety Deployment Plan and the many benefits the public/private partnership proposed by Frontline would provide the public safety community. Further, the parties discussed the importance of a wholesale open access network to creating innovation and competition in the wireless market. The attached article was presented in the meeting with Commissioner Tate.

Please direct any questions concerning this matter to the undersigned.

Sincerely,



Jonathan D. Blake
*Counsel to Frontline
Wireless, LLC*

cc: Aaron Goldberger

Wireless nation

July 5, 2007

By Mark S. Fowler -

Since 1996, the men and women who risk their lives to save Americans in major crises and a myriad of lesser known daily emergencies have pleaded for a wireless public safety network by which they could communicate in the field during emergencies. The Federal Communications Commission — where I was chairman during the Reagan administration — now has the chance to cause industry to build a national wireless broadband network from coast to coast and from Canada to the Gulf.

Using this broadband network, police, firefighters and other public safety officials from different cities and states can converge on a scene of natural or unnatural calamity and instantly communicate. They could talk together — the simple communication feature whose lack cost numerous lives on September 11 in the World Trade Towers. They could also share pictures, maps and plans of attack and response. What's more, they could greatly enhance their ability to detect plots, prevent attacks and record incidents. What we just saw in Glasgow and London ought to leave no doubt about our need for vigilance.

The FCC's new power comes from the convergence of the legal authority to auction spectrum (a free market move I sought through the '80s) and the invention of wireless broadband (the ability to use the airwaves to connect to the Internet and private secure versions of the Internet). If and when the next strike from evildoers or malign weather occurs, we can arm our brave first responders with astonishing new tools of communications.

The last chance for the FCC to act is coming up fast. There is only one more auction of airwaves suitable for this kind of network. I joined, along with famed venture capitalists John Doerr and Ram Shriram and wireless entrepreneurs Jim Barksdale and Vanu Bose, a company called Frontline Wireless that asks the FCC to zone, like real estate, a portion of the next spectrum auction. These zoning rules would require the high bidder to build for free the national wireless broadband network for all first responders, as well as to offer commercial service to obtain its revenue base. The taxpayers would, by one estimate, save as much as \$30 billion if the FCC adopts the Frontline Plan.

Frontline might not win in this auction. Anyone could bid. But the certain result would be a safer America for citizens and first responders.

Action is crucial. While I pride myself that the Fowler FCC team implemented Mr. Reagan's deregulatory philosophy through "unregulation," I have always contended that regulation has a legitimate role. It's needed to promote competition when dominant players control important network facilities.

That is why I supported open equipment interconnection and mandatory service connection to networks as FCC chairman. The product of this "regulation" is the U.S.-led Internet revolution.

FCC intervention here can create the right environment for a rapid, effective private-sector solution. A mix of limited regulation coupled with auctions will advance the bipartisan mission of creating a national broadband network with public safety interoperability.

What most drew me to the Frontline team was that the company's proposal unleashes the creativity of the private sector, and does not depend on federal appropriations or a command-and-control federal bureaucracy supervising a network buildout. Frontline proposes to spend billions in a fair and open auction. There's little doubt in our minds that others will seek the same spectrum and the same opportunity to build this life-saving national network. No one should be barred, and yet anyone who wins should have to do the job. Frontline, or any other auction winners, will then raise and spend billions more to construct a national network for the iPhones and other smart phones desired by consumers. But just like a highway contractor adding an emergency lane to a highway, Frontline or any winner would have to build extra capacity to everyone in the nation for first responders to use any and all the time.

This model of using an otherwise commercial network is precisely what the FCC has done with commercial broadcasting, where local stations have to provide emergency broadcasting reports when necessary. It is what the FCC has done with e-911, where cellular operators must make their facilities available for emergency phone calls at their expense.

There is no need to hope and pray for a massive injection of taxpayer funds to build a separate free-standing public safety network across the country. New billions don't have to come from the taxpayer. Any existing funds can be used to pay for the many other demands of homeland security.

It is not uncommon for the FCC to help fashion life-saving techniques for America's communications systems. What is rare is the chance for the FCC to do so much good for the country by one swift and sure step of zoning a small part of the auctioned real estate — that is, putting a condition on the necessary national license.

If the FCC takes this step, it will unleash the power of private sector capital, technology and operating capabilities to achieve a vital, national goal. If done right, our dedicated first responders and our brightest entrepreneurs will all cheer when the FCC's auction gavel falls.

Mark S. Fowler, a founding partner in Frontline Wireless, served as chairman of the Federal Communications Commission from 1981 to 1987. He also co-founded several telecommunications companies, including PowerFone Inc.