

LAWLER, METZGER, MILKMAN & KEENEY, LLC

2001 K STREET, NW
SUITE 802
WASHINGTON, D.C. 20006

REGINA M. KEENEY

PHONE (202) 777-7700
FACSIMILE (202) 777-7763

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BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: WT Docket No. 02-55
Ex Parte Presentation

Dear Ms. Dortch:

On Wednesday, September 5, 2007, Christopher Wright of Harris, Wiltshire & Grannis LLP, and I, counsel to Sprint Nextel Corporation (“Sprint Nextel”), met with Bruce Gottlieb, Legal Advisor to Commissioner Michael Copps for Wireless & International Issues. On the same date, Lawrence Krevor, Vice President, Government Affairs – Spectrum, Sprint Nextel, Christopher Wright, and I met with Michelle Carey, Senior Legal Advisor to Chairman Kevin Martin, and David Furth, Associate Bureau Chief, Public Safety and Homeland Security Bureau. Later that day, Lawrence Krevor and I had separate conversations by telephone with Michelle Carey and David Furth. In these meetings and discussions, we described the need for regional planning and synchronization to implement the “channel swaps” that are a central part of the 800 MHz public safety rebanding process. We explained that, when public safety entities are ready to vacate their channels, they “swap spectrum” with Sprint Nextel. The public safety operators move to the spectrum now used by Sprint Nextel's iDEN® network, and Sprint Nextel moves from its current channels into the channels now used by public safety licensees.

As six regional coordinations have already demonstrated, planning and synchronizing channel swaps are necessary to prevent disruptions to public safety communications and Sprint Nextel's service – including service to its public safety customers. First responders rely significantly on Sprint Nextel's iDEN service, particularly in emergencies. On September 11 and again in the emergency response to Hurricane Katrina, Sprint Nextel's iDEN service was the only mobile communications available for many first responders. Synchronized channel swaps also advance the efficient and intensive use of spectrum, since no channels lie fallow.

We urged that the Commission not disrupt the rebanding planning and coordination process by requiring Sprint Nextel to abandon its spectrum before public safety is ready to use the channels. This would not advance 800 MHz reconfiguration in any way nor otherwise benefit public safety or the public interest; on the contrary, it would seriously harm public safety

by disrupting first responders' communications. This action would also squander scarce spectrum resources.

In addition to pointing out the policy flaws in any such requirement, we described the procedural and legal infirmities if the Commission were to require Sprint Nextel to abandon its iDEN channels prematurely. Sprint Nextel's acceptance of the 800 MHz reconfiguration obligations in February 2005 was premised on receiving synchronized replacement spectrum. Moreover, Sprint Nextel has not been given sufficient notice or opportunity to comment on any departure from synchronized replacement.

The Commission can prevent disruptions to public safety and other 800 MHz communications, while still expediting the 800 MHz reconfiguration process, by affirming the planning and synchronization process for 800 MHz reconfiguration. We urged the Commission to affirm the spectrum swap obligations that Sprint Nextel accepted. The Commission should require Sprint Nextel to relinquish its iDEN spectrum only when public safety licensees are ready to use those channels and to vacate their own frequencies.

Pursuant to section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this letter is being filed electronically for inclusion in the public record of this proceeding.

Sincerely,

/s/ Regina M. Keeney
Regina M. Keeney

cc: Bruce Gottlieb
Michelle Carey
David Furth