



**Sprint Nextel**  
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March 25, 2008

David Furth, Associate Bureau Chief  
Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Update of Sprint Nextel's 800 MHz Licenses to Include 866-869 MHz  
WT Docket 02-55

Dear Mr. Furth:

Sprint Nextel Corporation ("Sprint Nextel") hereby requests that the Federal Communications Commission ("Commission") update its licensing database and reissue three of Sprint Nextel's 800 MHz Economic Area ("EA") licenses to specify, as provided in the Commission's orders in this proceeding, Sprint Nextel's right to operate in the 821-824 MHz/866-869 MHz band in NPSPAC Region 7 (Colorado).<sup>1</sup> Sprint Nextel and incumbent licensees in that region have completed, or are close to completing, band reconfiguration, and the issuance of these new licenses will facilitate a smooth transition to the new band plan.

As demonstrated in Sprint Nextel's monthly reports,<sup>2</sup> as well as the quarterly report filed by the 800 MHz Transition Administrator,<sup>3</sup> significant progress continues towards completion of the nationwide 800 MHz band reconfiguration initiative. Over 100 public safety licensees have completed their retunes, over 500 public safety licensees have signed Frequency Retuning Agreements ("FRAs"), and over 145 public safety licensees have dates certain to initiate their infrastructure retunes.

Because 800 MHz band reconfiguration is at the point where an increasing number of incumbent National Public Safety Advisory Committee ("NPSPAC") licensees have either completed or are conducting the physical retunes of their 800 MHz systems from the "old NPSPAC band" at 821-824 MHz/866-869 MHz (hereafter "866-869 MHz" or the "old NPSPAC band") to new channel assignments at 806-809 MHz/851-854 MHz (the "new NPSPAC band"),

<sup>1</sup> Sprint Nextel requests that the Commission update Sprint Nextel's 800 MHz "C Block" authorizations (call signs WPOH337, WPOH340, and WPOH370) to add authority to operate on 866-869 MHz. Each call sign currently covers a portion of the State of Colorado and authorizes geographic-wide operations on 863-866 MHz.

<sup>2</sup> See Sprint Nextel Reports dated January 2, 2008; February 1, 2008; and March 3, 2008.

<sup>3</sup> See 800 MHz Transition Administrator, LLC Quarterly Report, filed on February 29, 2008.

Sprint Nextel's licenses must be modified to permit operations on the spectrum being vacated by public safety to include 866-869 MHz.

Sprint Nextel will be able to incorporate these channels into its iDEN network on 866-869 MHz once a NPSPAC licensee completes the retune of its system. These EA license modifications will enable Sprint Nextel's network to use the 866-869 MHz channels surrendered by incumbents as retunes to the new NPSPAC band are completed, thereby effectuating the channels swaps set forth by the FCC's *800 MHz Report and Order* and *800 MHz Supplemental Order*, as agreed to in Sprint Nextel's February 7, 2005 acceptance letter. This process will simplify the administrative overhead of channel swaps by having the retuned public safety licensee merely surrender its old NPSAC channels upon completion of its retune, while allowing Sprint Nextel to operate on the 800 MHz "white space" created by the public safety license cancellation. As a result, this process would benefit public safety licensees, the Commission, as well as Sprint Nextel and its customers.

Pursuant to Sections 309 and 316 of the Communications Act of 1934, as amended, Sprint Nextel's 800 MHz licenses were modified in 2004 to authorize Sprint Nextel's use of the "old NPSPAC" channels at 866-869 MHz.<sup>4</sup> Although the Commission took this action over three years ago, the purely administrative act of updating Sprint Nextel's licenses has not yet occurred. Based on the progress of 800 MHz band reconfiguration in Colorado, it is now necessary to update Sprint Nextel's licenses without further delay. In NPSPAC Region 7 (Colorado) the City of Lakewood, Pikes Peak Regional Communications Network, Adams Twelve School District, the City of Westminster and the State of Colorado have completed, or will soon be completing, their retunes. Accordingly, Sprint Nextel is ready to timely incorporate these channels into its iDEN system to replace those 800 MHz channels it provided to public safety incumbents retuning to the new NPSPAC band. Retuning of Sprint Nextel's operations to the 866-869 MHz portion of the 800 MHz band is a crucial step in the completion of 800 MHz band reconfiguration.

Sprint Nextel recognizes its responsibility to avoid contributing to new commercial mobile radio service ("CMRS") – public safety interference by its use of the 866-869 MHz channels. Sprint Nextel hereby provides a series of methods it will deploy to notify, prevent, and mitigate interference to incumbents during the transition process as both public safety licensees and Sprint Nextel continue to operate in the 866-869 MHz band.

1. For well over a decade Sprint Nextel has used a Frequency Availability Program ("FAP") to evaluate the 800 MHz licensing environment in the selection of 800 MHz channels for use in the 800 MHz iDEN network. This computer program draws its data from the FCC's Universal Licensing System ("ULS"). FAP reviews the site parameters of proposed Sprint Nextel facilities and compares these sites to those already licensed or in use by current 800 MHz licensees. This automated computer program ensures that existing

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<sup>4</sup> See *800 MHz Report and Order* at paragraphs 342 and 343.

licensees are provided appropriate co-channel protection pursuant to Section 90.621(b) of the Commission's co-channel protection rules.<sup>5</sup>

2. Sprint Nextel will follow the adjacent-channel protection rules requested by NPSPAC Region 8 (New York Metropolitan Area) and adopted by the Commission in the *Second Memorandum Opinion and Order*. See paragraphs 51-52 of the Commission's *Second Memorandum Opinion and Order* (May 24, 2007).
3. Prior to initiating iDEN service in the 866-869 MHz portion of the 800 MHz band, Sprint Nextel will notify every NPSPAC licensee in the Colorado NPSPAC Region in writing, at the contact address listed in the ULS, that it intends to use its updated licenses to operate in the 866-869 MHz band.<sup>6</sup> This written notice will provide that if a licensee believes that it is experiencing CMRS – public safety interference in its area of operations, it should use the CTIA interference website to notify Sprint Nextel and other cellular carriers so that interference mitigation procedures can be initiated.<sup>7</sup>
4. In addition, prior to initiating iDEN service in the 866-869 MHz portion of the 800 MHz band, Sprint Nextel will notify the Regional Planning Coordinator for the Colorado NPSPAC Region in writing that Sprint Nextel intends to deploy in the old NPSPAC band. The Regional Planning Coordinator will then be an additional resource for public safety licensees to use in the event they believe they are experiencing interference from a commercial carrier.
5. Sprint Nextel will continue to update the administrator of the CMRS industry supported-CTIA interference website of any new geographic territories in which Sprint Nextel deploys its iDEN network to ensure that Sprint Nextel is notified of any instance where an 800 MHz licensee believes that it is experiencing CMRS – public safety interference.
6. In the event there is a complaint of CMRS-public safety interference in the old NPSPAC band, Sprint Nextel will continue to strictly adhere to the

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<sup>5</sup> As the first step in reconfiguring NPSPAC licensees to the new NPSPAC band, Sprint Nextel ceased operations on five of its 1-120 channels that coincided with the five mutual aid NPSPAC channels. To protect against co-channel interference in the old NPSPAC band, Sprint Nextel will not utilize the five nationwide NPSPAC mutual aid channels until 800 MHz band reconfiguration is 100% completed in Colorado, even if those channels appear to be available for use from a co-channel use perspective.

<sup>6</sup> Because Sprint Nextel's updated EA licenses will include territory in NPSPAC regions which adjoin the Colorado NPSPAC region, Sprint Nextel will similarly notify those NPSPAC licensees who are within 70 miles of Sprint Nextel's updated EA licenses, including NPSPAC licensees in Utah, Wyoming, Nebraska, Kansas, and New Mexico.

<sup>7</sup> Located at <http://www.publicsafety800mhzinterference.com>.

Commission's mandated response timelines and requirements.<sup>8</sup> Pursuant to the requirements of the *800 MHz Supplemental Order*, Sprint Nextel will continue to protect public safety systems that meet the "interim" interference standards during band reconfiguration. In addition, Sprint Nextel will also continue to employ the additional protection methods for those public safety systems that do not meet the Commission's "interim" values but that do meet the Commission's final rules, as proposed by Sprint Nextel in 2004, agreed to by APCO, and as adopted by the Commission at paragraph 42 of the *800 MHz Supplemental Order*.

Sprint Nextel is confident that these measures, combined with its and other cellular carriers' continued adherence to the interference protection rules and mandated response deadlines adopted in the Commission's *800 MHz Report and Order*, as amended, will provide continued protection to public safety incumbent licensees in the old NPSPAC band while the 800 MHz band reconfiguration process continues.

Should you have any further questions in this matter, please contact the undersigned.

Respectfully submitted

/s/

Lawrence R. Krevor  
Vice President – Spectrum

James B. Goldstein  
Director, Spectrum Reconfiguration

cc: 800 MHz Transition Administrator

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<sup>8</sup> See Sections 90.672-90.675 of the Commission's Rules