



June 27, 2008

The Honorable Kevin J. Martin
Chairman

The Honorable Deborah Taylor Tate
Commissioner

The Honorable Robert M. McDowell
Commissioner

The Honorable Michael J. Copps
Commissioner

The Honorable Jonathan S. Adelstein
Commissioner

Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Martin:

I am writing to request that the Commission conclude its rulemaking in the Wireless Communications Service (“WCS”) and the Satellite Digital Audio Service (“SDARS”), issuing final technical rules for both services contemporaneously with its decision on the XM-Sirius merger.¹ Main Street Broadband is deploying broadband services this year and anticipates that WCS spectrum will be an essential component in its broadband rollout.

Main Street Broadband is an Atlanta, Georgia, company that will provide commercial broadband services to rural customers, particularly using \$34 million in Rural Utility Services funding from the Department of Agriculture. In particular, we intend to use WCS and AWS spectrum to serve customers in southern Georgia, northern Florida and coastal communities in Alabama.

The time is appropriate to issue final rules, given that Commissioners have been considering the WCS-SDARS rulemaking for more than 10 years. Main Street Broadband appreciates the Commission’s attention to the pending XM-Sirius merger, but it also should balance that priority with those of XM, Sirius, WCS licensees and wireless broadband service providers that need regulatory certainty so that WCS and SDARS spectrum can be used to serve the public interest.

¹ *Amendment of Part 27 of the Commission’s Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band*, Notice of Proposed Rulemaking and Second Further Notice of Proposed Rulemaking, FCC 07-215 (rel. Dec. 18, 2007).

Main Street Broadband hopes to partner with NextWave Wireless Inc. because its WCS spectrum is unencumbered and spectrally efficient, making it very valuable spectrum. NextWave also offers mobile multimedia technology that would enable Main Street Broadband to use NextWave's WiMAX baseband chipsets and multi-band RFICs, and mobile broadband network technology (TD-CDMA, WiMAX, or LTE). Main Street Broadband believes the quality and reach of its wireless broadband service offerings can be complemented by NextWave's technology. The new technical rules are needed, however, before Main Street Broadband can use WCS spectrum for competitive mobile broadband service.

For the reasons stated above, Main Street Broadband urges the Commission to complete the WCS-SDARS rulemaking and issue final rules so that this valuable spectrum can be put to its best use.

Sincerely,



Michael F. Mies
Chief Executive Officer
Main Street Broadband LLC

Cc: The Honorable Daniel K. Inouye
Chairman, Senate Commerce, Science and Transportation Committee

The Honorable Edward J. Markey
Chairman, Telecommunications and the Internet Subcommittee
House Energy and Commerce Committee