



wireless broadband

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June 28, 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 and Commissioners:

I am writing to urge the Commission to conclude the rulemaking pursuant to which final technical rules are under consideration for the Wireless Communications Service (“WCS”) and the Satellite Digital Audio Service (“SDARS”).¹ As a company seeking to rollout wireless broadband service later this year, iFuze is eager gain access to spectrum suitable for mobile broadband services, including WCS spectrum, for future deployments.

The WCS-SDARS rulemaking already has been pending for more than 10 years. While we understand the Commission’s focus on the XM-Sirius merger, the Commission cannot overlook that XM, Sirius, WCS licensees and wireless broadband service providers all need an end to the rulemaking so that WCS and SDARS spectrum can be actively and lawfully used to serve the public.

iFuze is a Virginia-based company that intends to deploy mobile broadband service to customers in the Midwest by late 2008 and ultimately, nationwide. Among the customers iFuze intends to serve are those in rural areas, where there is a great need for wireless broadband spectrum, particularly WCS spectrum.

WCS spectrum, unlike 700 MHz spectrum, is unencumbered and is positioned to become a key international band that will provide companies like iFuze with greater opportunities, including roaming. By harmonizing the technical rules for WCS with international spectrum use, the Commission can ensure that these advantages are realized.

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).

iFuze is seeking to enter into a partnership with NextWave Wireless Inc. because NextWave offers a spectrally efficient mobile multimedia wireless broadband technology that will enable iFuze to use NextWave's WiMAX baseband chipsets and multi-band RFICs in various end-user devices, along with a range of mobile broadband network products (TD-CDMA, WiMAX, or LTE) to provide for a turn-key mobile "triple-play" service in the rural areas. iFuze believes the quality and reach of its wireless broadband service offerings will be greatly enhanced by NextWave's technology. As a new company without access to spectrum, iFuze hopes to be able to use NextWave's WCS spectrum for future deployments. The new technical rules are needed, however, before iFuze can use WCS spectrum for competitive mobile broadband service.

iFuze urges the Commission to complete the WCS-SDARS rulemaking and thereby make it possible for the full value of WCS spectrum to be realized.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter A. Deliso".

Peter A. Deliso
President and Chief Executive Officer
iFuze Wireless, 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