

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Applications of Sprint Nextel Corporation and Clearwire Corporation	)	WT Docket No. 08-94
	)	
For Consent to Transfer Control of Licenses and Authorizations	)	
	)	
File Nos. 0003462540 and 0003368272 <i>et al.</i>	)	

**COMMENTS OF THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

The School Board of Miami-Dade County, Florida (the "School Board") hereby files these comments in support of the proposed transaction between Clearwire Corporation ("Clearwire") and Sprint Nextel Corporation to create a new nationwide 2.5 GHz advanced wireless broadband service provider, new Clearwire Corporation ("New Clearwire"). The School Board's EBS system serves 378 schools throughout Miami-Dade County, Florida. The School Board's four EBS stations, WHA956, WHG230, KTB84 and KTB85, along with Friends of WLRN, Inc's station WHR866 and Southern Florida Instructional Television Inc.'s station WHR790, currently form a coordinated EBS system delivering 20 high power analog channels of video programming to receive sites throughout Miami-Dade County, Florida. Among the persons served by these stations are the 353,000 students and 50,000 full-time and part time employees of the Miami-Dade County Public Schools. The School Board has approved a new *de facto* lease agreement with Clearwire, which will serve specific broadband and educational service needs of the School Board within its jurisdiction. Pursuant to that lease agreement, the School Board and its students will continue to receive high power downstream educational

programming and will obtain additional funding for school district obligations. The School Board believes that grant of the above-referenced applications and approval of the transaction is both in the public interest and in the best interest of the School Board and other EBS Licensees whose spectrum leases will become part of the combined Clearwire/Sprint nationwide WiMAX network.

As the New Clearwire applications indicate, the creation of New Clearwire through the combination of the 2.5 GHz assets of existing Clearwire and Sprint will accelerate the deployment of the first nationwide mobile WiMAX broadband network in the 2.5 GHz band. The School Board will be utilizing the services of Clearwire's network and looks forward to the benefits the enhanced mobility and speed that this WiMAX network can bring to the school system.

The School Board believes that the transaction will substantially benefit the EBS community at large, as it will enhance funding for 2.5 GHz EBS spectrum that Clearwire will lease from the School Board and others to be developed more rapidly into this nationwide advanced mobile broadband network, enabling the School Board and other EBS licensees to finally obtain the full benefits of 2.5 GHz-based advanced wireless broadband services that can be used to further their educational mission while receiving economic and other benefits from their 2.5 GHz spectrum leases.

Through the New Clearwire transaction, the upper and lower band channels of the School Board's EBS Stations will become part of this 4G nationwide advanced broadband network capable of providing a multitude of new educational, instructional and cultural resources which it might not otherwise be available to the School Board in this manner as the School Board is not aware of any other provider at 2.5 GHz that is planning or even contemplating such a nationwide

mobile network. Pursuant to the agreement negotiated between the School Board and Clearwire, the School Board's users will obtain wireless access to its Internet connections, CPE, and other valuable benefits associated with the capabilities and services of the New Clearwire network.

As the New Clearwire application explains, as a result of this transaction, New Clearwire will receive approximately 3.2 billion of capital funding which the company has demonstrated is critically necessary to build and operate the broadband infrastructure that is needed to deploy the nationwide WiMAX broadband services that will benefit the School Board, the EBS community and the public generally. Without this transaction, Clearwire does not possess sufficient financial or spectrum resources to deploy a nationwide network of this scale and scope alone.

As a result of the varied licensing scheme and history of the 2.5 GHz band, there are unique characteristics of this band that combining Clearwire and Sprint Nextel's 2.5 GHz spectrum holdings into a single operating company overcomes. Specifically, by reducing the number of different adjacent operator service areas so as to approximate more closely the licensed geographic service areas of other wireless service providers in other frequency bands, New Clearwire will be able to maximize 2.5 GHz spectrum build-out capability in all EBS Licensees' GSAs by minimizing the challenging network deployment and operational effects arising from the 2.5 GHz's bands unique and varied historical service and licensing schemes. These include: (1) Mitigating the "Swiss cheese" geographic coverage attributable to multiple EBS Licensees in any given geographic area each having different channel group boundaries even among a single licensee's channels which may not otherwise be consistent with economic build-out and minimizing the number of adjacent service area boundaries that otherwise require resource intensive coordination and accommodation that constrains/delays deployment, limiting coverage and increasing costs and (2) Eliminating service coverage gaps in EBS Licensee

service areas otherwise necessary to avoid adjacent operator interference, which enhances New Clearwire's ability to deploy throughout the entire Miami area.

Although the School Board and its EBS partners have utilized their spectrum to provide service to their students in furtherance of their educational mission for many years, it believes that expeditious approval of this transaction will provide it with substantial additional benefits that may not otherwise be available. As the New Clearwire application indicates, WiMAX will unleash the promise and benefits of the historically underutilized 2.5 GHz spectrum and by combining Clearwire and Sprint Nextel's 2.5 GHz spectrum licenses, the actual spectrum build-out capability on the 2.5 GHz spectrum held by different adjacent EBS licensees is substantially enhanced.

The School Board supports expeditious FCC approval so that the New Clearwire transaction can occur and so that Clearwire can obtain the capital funding necessary to deploy the 2.5 GHz nationwide mobile WiMAX network that will enable EBS licensees and their surrounding communities to obtain the substantial public interest and educational benefits from a nationwide mobile WiMAX network at in the 2.5 GHz band.

Respectfully submitted,



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