



August 11, 2008

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Via Electronic Filing

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

RE: Applications of Sprint Nextel Corporation and Clearwire Corporation For
Consent to Transfer Control of Licenses and Authorizations File Nos.
0003462540 and 0003368272 et al., WT Docket No. 08-94

Dear Ms. Dortch:

I am filing this letter on behalf of Gryphon Wireless ("Gryphon"), a wireless operator in rural portions of Nebraska. As stated in Gryphon's previous filing in this docket, Gryphon leases both Broadband Radio Service ("BRS") and Educational Broadband Radio Service ("EBS") licenses. Gryphon has already indicated its strong belief that approval of the transaction between Sprint Nextel Corporation ("Sprint Nextel") and Clearwire Corporation ("Clearwire") to create New Clearwire Corporation ("New Clearwire") will benefit the 2.5 GHz industry generally, including Gryphon. Gryphon is filing this letter to indicate its concern with the Petitions to Deny filed by AT&T and the Rural Cellular Association ("RCA") in opposition to the transaction.

Specifically, Gryphon believes that AT&T is wrong when it suggests that BRS and EBS spectrum should be included in the Commission's spectrum screen. As has been aptly pointed out by a variety of commenter's, including the parties to this Transaction, the Commission has never previously included BRS and EBS in the spectrum screen, and for very good reason. AT&T does not understand the true difficulties of using the entire 2.5 GHz band for any commercial nationwide rollout of wireless broadband service. Unlike commercial mobile leases, EBS leases are carefully crafted to ensure that EBS licensees can use 2.5 GHz spectrum to further their educational missions. EBS leasing rules including those requiring EBS licensees to retain a minimum of their spectrum for their own education use, and the requirements that they be able to reassess their needs periodically and the thirty year maximum lease term are specifically designed to foster the educational use of the spectrum.

In addition, Gryphon believes that conditions such as those proposed by RCA are not required as New Clearwire has made clear its intention to provide an open network that will not to block, degrade, or impair access, downloading, or utilization of lawful, non-harmful Internet content, applications, or services.

Thus, Gryphon hereby reiterates its support for expeditious, unconditional grant of this transaction.

Sincerely,

U n w i r e y o u r w o r l d