

**Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Service Rules for the 698-746, 747-762 and 777-792 MHz Bands)	WT Docket No. 06-150
)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band)	PS Docket No. 06-229
)	

COMMENTS OF MEDIA206

The Peterson Trading Company, Inc. dba Media206 (“Media206”),¹ by its attorneys, provides brief comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Third Further Notice of Proposed Rulemaking (“3rd FNPRM”) in the above-captioned proceedings.² Specifically, since the date for the Upper 700 MHz D Block re-auction has not been set, and based on the unresolved issues the Commission still faces in this proceeding to promote a reliable auction process, Media206 respectfully requests that the Commission take into consideration Media206’s Spring *Spectrum Marketplace* conference when considering actual filing dates and deadlines.

The Spectrum Marketplace is held twice a year – once in the Fall and once in the Spring. The conference is attended by those interested in promoting spectrum use in the secondary markets. Because of the nature of conference planning, Media206 has already executed binding

¹ Media206 produces “The Spectrum Marketplace” conference two times a year to help facilitate those seeking to buy or lease spectrum from those seeking to sell or lease spectrum. The conferences promote spectrum usage in the secondary markets as well as providing a forum for FCC licensees to meet those interested in using their licensed spectrum.

² *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands; Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band*, Third Further Notice of Proposed Rulemaking, WT Docket No. 06-150, PS Docket No. 06-229, FCC 08-230 (rel. September 25, 2008) (“FNPRM”).

contracts for its Spring *Spectrum Marketplace* for April 21-22, 2009 in Dallas, Texas. Under the FCC's anti-collusion rules, auction applicants are not permitted to discuss matters that may impact their bidding strategy with other bidders unless they have entered into a bidding agreement and that agreement has been disclosed on their FCC Form 175. Because the purpose of *The Spectrum Marketplace* conference is to bring spectrum stakeholders interested in selling spectrum with those interested in buying spectrum, there is a high likelihood that there will be significant overlap among those seeking to participate in the Upper 700 MHz D Block auction and those seeking to attend *The Spectrum Marketplace* conference April 21-22, 2009 in Dallas, Texas.

In order to allow potential Upper 700 MHz D block auction bidders to attend and participate fully in *The Spectrum Marketplace*, Media206 respectfully requests that the Commission not establish any procedural dates or deadlines that would invoke the anti-collusion rules so that all interested parties, including those potential bidders in the Upper 700 MHz D Block are eligible to attend and participate in potential secondary market spectrum discussions and transactions that will take place at the Spring *Spectrum Marketplace*.

Respectfully submitted,

THE PETERSON TRADING COMPANY, INC.
d/b/a MEDIA 206

By: */s/ Caressa D. Bennet*

Caressa D. Bennet
Bennet & Bennet, PLLC
4350 East West Highway
Suite 201
Bethesda, MD 20814
(202) 371-1500

Its Attorney

Date: November 3, 2008