

**DEPARTMENT OF PUBLIC SAFETY**

DIVISION OF POLICE

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The undersigned 800 MHz public safety licensees share the concerns expressed in the petition (the "TA FRA Cost Metrics Petition") filed with the Federal Communications Commission (the "Commission") on January 20, 2010, by New Jersey Transit Corporation, the City of Philadelphia, Montgomery County, MD, and RCC Consultants, Inc., respecting the reconfiguration cost estimate statistics (the "TA FRA Cost Metrics") compiled by the 800 MHz Transition Administrator, LLC.

The undersigned 800 MHz public safety radio licensees, all of which have been or will be affected by the application of the TA FRA Cost Metrics to their estimated costs of reconfiguring their 800 MHz public safety radio systems support the request to the Commission made in the TA FRA Cost Metrics Petition to enter a declaratory ruling in accordance with the following principles:

- The TA FRA Cost Metrics do not provide a reliable and proper basis from which to draw inferences respecting the system reconfiguration costs proposed by an 800 MHz licensee to be recovered from Sprint Nextel Corporation ("Nextel");
- The TA FRA Cost Metrics do not provide any sound basis for raising the burden of proof upon 800 MHz licensees to establish the reasonableness of their estimated system reconfiguration costs, where those costs exceed levels purportedly drawn from the TA FRA Cost Metrics; and
- No reliance of any kind upon the TA FRA Cost Metrics shall be proper unless the concerned 800 MHz licensee is afforded full and free access to all information necessary or useful in analyzing whether and how that licensee's 800 MHz radio system is different from the systems included in the TA FRA Cost Metrics.

Accordingly, the undersigned 800 MHz public safety radio licensees support the grant by the Commission of the relief sought in the TA FRA Metrics Petition.

Robert Stevenson, Chief of Police