

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Amendment of Parts 1, 22, 24, 27, 74, 80, 90,)	
95, and 101 To Establish Uniform License)	
Renewal, Discontinuance of Operation, and)	WT Docket No. 10-112
Geographic Partitioning and Spectrum)	
Disaggregation Rules and Policies for Certain)	
Wireless Radio Services)	
)	
Imposition of a Freeze on the Filing of)	
Competing Renewal Applications for Certain)	
Wireless Radio Services and the Processing of)	
Already-Filed Competing Renewal)	
Applications)	

**COMMENTS OF
COMSPEC CORPORATION**

The Commission has initiated the above-referenced proceeding to establish consistent requirements for renewals of wireless service licenses. ComSpec Corporation is a telecommunications consulting firm that has a history of involvement with clients developing Educational Broadband Service (“EBS”) and Broadband Radio Service (“BRS”) facilities across the United States. Our staff has played an active part in supporting development of 2.5 GHz facilities in these Services for over twenty years. ComSpec Corporation (“ComSpec”) also holds leases with EBS licensees for utilization of their excess air time.

While ComSpec supports the Commission’s goal to create consistent requirements for license renewals, we believe the proposed requirements as they relate to EBS and BRS will pose unnecessary problems both for the individual licensees and the industry now beginning nationwide rollouts of mobile wireless services using 2.5 GHz spectrum.

Relatively new Rules under Part 27 for EBS and BRS licensees adopted a new band plan that supports a variety of broadband services including accommodation of video services traditional to previous deployments in this band. Through diligent and often costly work of transition proponents and licensees, the transition of the 2.5 GHz band is nearing completion and licensees in both services have either recently deployed or are in the process of deploying long-awaited new broadband and video facilities. These new facilities are being designed with the intention to comply with the existing substantial service requirements established in the current Rules for these services. Naturally, deployments in this band require a substantial investment and that investment is secured on the reasonable certainty that licenses will be renewed based on the existing substantial service requirements.

Our concern rests with the potential adoption of the proposed “renewal showing” being relevant, consistent and practical for EBS and BRS licenses. With the current set definition of the substantial service requirement, licensees can reasonably expect renewal of their license if they have followed the service showing or one of the safe harbors contained in the Rules. The proposed “renewal showing” does not appear to have a consistent set of standards, rather the possibility of an ever-changing standard based on changing expectations. The amount of work and paperwork required to make these showings is predicted to be much larger than the current requirement considering the tasks involved to make such showings could be very burdensome to licensees, especially EBS licensees who often operate on fixed or limited educational budgets. ComSpec supports keeping the current renewal showings for EBS and BRS.

As for future renewals, concerns of Commission that an EBS or BRS licensee’s operations have been changed, reduced or discontinued during the passage of time between a substantial service showing and renewal, it can address this concern by requiring a “service

certification” upon renewal that confirms that the licensee’s operation continues to be consistent with its substantial service obligation. Such a certification has been proposed for site-by-site licensees and will provide the Commission with the information it needs to confirm that the operations that supported a previous substantial service showing and a renewal expectancy are still in place.

In proposing these new renewal procedures, the Commission has tentatively decided to exempt BRS and EBS licensees from changes to the required renewal showings for licenses that expire on or before 11 May 2011. We support this recommendation as to do otherwise would be greatly disruptive and damaging to licensees years of preparations of system designs for deployments designed to achieve the substantial service requirement by the deadline.

We respectfully request and appreciate the Commission’s consideration of our positions stated above.

Respectfully submitted,

ComSpec Corporation

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