

Filing comment on 12-52

Walter Iwachiw RN, SPNP, SFNP, SANP, SDNS, SDNP, SJD as patent holder opposes the interruption of cellular wifi and other frequencies by NYS MTA or Bart for civil rights containment and any contractor that controls those networks for business or illegal purposes against competition.

Walter Iwachiw holds patents and applications are in place that rely on those patents that depend on the 24/7/365 days a year availability of cellular, wifi and other frequencies promulgated in subterranean spaces controlled by quasi governmental authorities and private land owners. These applications include medical monitoring that if interrupted may cause the death of or deny the life saving capabilities of the application of the patents to the end uses.

World Network International Services Inc. a NYS Telecom public authority is currently challenging the NYS Metropolitan Transportation Authority's (MTA) award of the entire 100 year cellular, wifi, special frequencies and fiber optic franchise to Transit Wireless LLC on the basis of fraud in competition and Bid rigging for the award. Transit Wireless LLC never bid on the initial RFP and WNIS was denied participation in further bidding to affect the end result which mirrored the initial offer made by WNIS. The decision to let the exclusive 100 year award, was made upon information and belief by a closed door session of the power players in Albany and New York, including upon information and belief Governor Cuomo, and Mayor Bloomberg. Transit wireless utilized the initial bid offer projections of income made by WNIS for the first 10 years and expanded it to 100 years plus the state confiscated the 496 million wtc urir telecom grant offered for the initially bid as a deposit toward the sole source award to WNIS. The WNIS offer was a sole source offering based on patent licensing that Transit Wireless LLC had no ability to match.

Unfettered access to that underground network is imperative for the health and well being of the users depending on the advanced medical services enabled by patents and provided for the 8 million daily riders of the system. Any outage will constitute a risk of death to these clients. Additionally, the NYC situation concerns the denial of service for public frequencies used in wifi above and other specialized frequencies below ground, which may be similarly interrupted by the contractor at will or on orders from the MTA. The State and City have opted to remove the patent infringement portions of other RFP's and operations instead of allowing the submission of sole source bids from WNIS for NYC DOT wayfaring and NYC CEMUSA bus shelter advertising or licensing the technology covered under the patents.

The growing concern is over the value of patent rights, public airwaves and competitive bidding in subterranean and private spaces undermining the Authority of the FCC regulation and outside the Federal laws of the United States. The control of Transit Wireless LLC has been shifted to an Austrailian based enterprise further complicating the question.

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