



THE WHOLESALE BEER AND WINE ASSOCIATION OF OHIO

37 W. BROAD STREET, SUITE 710 • COLUMBUS, OHIO 43215
(614) 224-3500 • OHIO WATS LINE 1-800-282-7639 • FAX 614-224-1348
www.wbwao.org

March 29, 2012

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Reply Comments for Public Notice DA 12-214 (IB Docket 11-109)

Dear Chairman Genachowski:

On behalf of the Wholesale Beer and Wine Association of Ohio, I write regarding LightSquared's proposed national wireless broadband network, which would expand America's wireless broadband capacity, increase competition and choice for millions of American consumers, provide next-generation connectivity to public safety agencies and rural Americans, lower prices, and create jobs.

In Ohio, wholesalers deliver beer and wine to retailers to sell to the end consumer. Per the United States Constitution, States have the authority to heavily regulate the commerce and consumption of beer and wine. To that end, Ohio has defined territories in which a wholesaler may sell their products to a retailer. This is to ensure proper collection of taxes, quality of the product and control of the consumption of the product.

Similarly, the network that LightSquared has sought to develop had a defined territory, or spectrum. However, the GPS industry has manufactured their product to search within this spectrum despite knowing the spectrum rights had been obtained by LightSquared years ago.

Ohio wholesalers deliver product throughout the entire State: from the urban areas of Cincinnati to Columbus to Cleveland as well as rural areas from Jackson to Millersburg to Van Wert. A broadband network that provided accessibility to all not only helps businesses grow and prosper, but also helps to ensure that all businesses can operate on the same digital playing field.

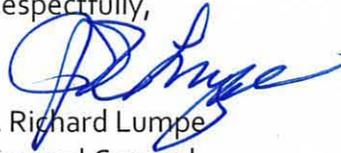
Addressing the existing controversy over the relative spectrum rights of GPS receivers' vis-à-vis authorized operations in the MSS spectrum bands is of critical importance. LightSquared does not seek *any* change in the Commission's existing rules, policy, or

precedent; LightSquared simply asks the Commission to clarify the obvious misconceptions of the commercial GPS industry.

It is incumbent upon the FCC to articulate and set out a clear path forward for LightSquared and GPS to co-exist. This coexistence is good for American consumers and businesses.

Thank you for your consideration of my comments.

Respectfully,

A handwritten signature in blue ink, appearing to read "J. Lumpe", written over the printed name.

J. Richard Lumpe
General Counsel