

April 23, 2012



Before the Federal Communications Commission

)	
In the Matter of)	
Improving Spectrum Efficiency through)	WT Docket 12-64
Flexible channel Space and Bandwidth)	
Utilization for economic area based 800)	
MHz specialized mobile radio licenses)	

REPLY COMMENT FILED BY
CONCEPTS TO OPERATIONS, INC.

Concepts To Operations, Inc., a Maryland Telecommunications consulting and Engineering firm focused on Public Safety communications files this letter in support of the Commissions proposed rule making in this Docket concerning allowing broadband use of 800 MHz spectrum in areas where re-banding has been completed.

As noted in Footnote 28, of the NPR, Concepts To Operations has previously filed comments in support of changes to rules related to the commercial use of the EMSR band. In its previous support filing CTO, as part of the Mobile Broadband Coalition noted that the changes requested by Sprint/Nextel for better and more efficient use of the allocated channels in the EMSR is worthy of support and implementation. CTO reiterates, however, that its support is prefaced by its demand that all of the commercial licenses in the 800 MHz Band be treated equally and that the allocation of "contiguous spectrum" be granted to each of the Licensee's, not just Sprint/Nextel.

Sprint/Nextel (footnote 18) correctly notes that it holds a majority of the Economic area licenses in the ESMR band. It does not hold all of those licenses. CTO notes that in a majority of the re-banding proceedings, the licensee's of smaller independent holdings of ESMR channels have been in large part ignored and in some cases been prejudiced in attempting to satisfy the requests of the largest carrier in the Block. Many of the smaller licensee's who participated in Auction 34 and in addition like Sprint/Nextel, purchased

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existing site specific licenses to clear the incumbent 800 MHz users out of the band to ensure that the licenses purchased at Auction would be free and clear of interference. Their purchases were no different than that of Sprint/Nextel and should be treated as such.

Concepts To Operations urges the Commission as well as the Transition Administrator and Frequency Coordinators to treat all licensee's equally and to develop plans which allow "contiguous use of spectrum" to licensees to be able to provide similar and competing services in the Band. CTO believes that it is in the best interest of the public to review the commitment that the Commission had after the Telecommunications Act of 1996 i.e. foster competition and encourage small companies to compete and provide communication services.

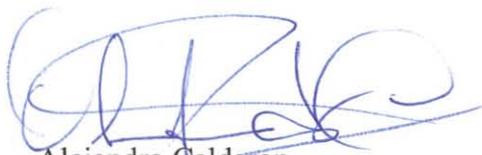
Concepts To Operations in its support believes that an additional provision should be considered in allowing such use, to ensure that no interference with public safety entities occurs. As such CTO would suggest the following:

1. That a second notice be given to the Public Safety entities with a specific date on which active operations will begin and the specific locations of antennas sites and ERP for each of those sites

CTO believes that the recommendation above would ensure that public safety entities continue to be notified of changes affecting channels and bands near their licenses and near their operations.

In conclusion, CTO thanks the Commission for its foresight to look beyond the declaratory action request and to review this matter on a more comprehensive basis.

Respectfully submitted



Alejandro Calderon
President

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