

REPLY COMMENTS OF BIGBY PARTNERS ?

Bigby Partners has perused the RM-11719 Comments filed by the Electronic Wireless Alliance (EWA) in support of the LMCC Petition and requests that the Commission reject their comments on the following grounds:

1. EWA claims that the FCC must maintain a balance between promoting increased spectrum efficiency by allowing incumbent system expansion and making spectrum broadly available to all qualified applicants. Bigby Partners has struggled to find any policy within either the Telecommunications Act or 47 C.F.R. Part 90 that dictates to the Commission staff that they are somehow mandated to allow incumbent system expansion. EWA is correct in that the Commission is mandated to make new spectrum available in a competitive manner to new entrants by not establishing barriers to entry.

2. The new Act was widely praised as a new beginning of a new era of "innovation, investment, and inclusion." Inclusion is obviously not at the forefront of either EWA's comments or the LMCC Petition by supporting a heavily slanted 6-month preference period for incumbents who are not purely first responders but are commercial businesses that have no more right to the 800 MHz Expansion Band/Guard Band frequencies as my company. As President Clinton said when he signed the Act of '96 into law: "This law is truly revolutionary legislation that will bring the future to our doorstep. . . . This historic legislation in my way of thinking really embodies what we ought to be about as a country and what we ought to be about in this city. It clearly enables the age of possibility in America to expand to include more Americans. It will create many, many high-wage jobs. It will provide for more information . . ." [Underlines added by Bigby Partners]. New jobs cannot be added by incumbent operators but employment growth does occur when new entrants are granted licenses that will foster brand new jobs and boost the economy in the areas covered by EB/GB propagation.

For the reasons stated herein, Bigby Partners encourages the Federal Communications Commission, to reject the exclusionary recommendations of EWA and disapprove the LMCC Petition.

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President  
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