

FEDERAL COMMUNICATIONS COMMISSION
Experimental Licensing Branch
445 12th Street, S.W., Room 7A-321
Washington, D.C. 20554

November 18, 2010

Attn: Ryan Swailes, Radio Engineer
Trapeze ITS USA LLC
5265 Rockwell Drive NE
Cedar Rapids, IA 52402

DISMISSED-WITHOUT PREJUDICE

Dear Ryan Swailes, Radio Engineer,

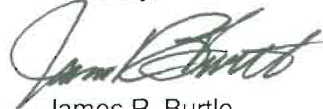
This refers to application, File No. 0289-EX-RR-2010, for an experimental authorization.

You are advised that the Commission is unable to grant your application for the facilities requested. Both of these frequency pairs are listed in the public safety pool and therefore Public Safety and Homeland Security Bureau (PSHSB), objects to the use of these channels for this experimental license that has no public safety purpose.

While APCO may have stated the channels are available, they cannot waive the Part 90 rules to allow a non-eligible to use public safety frequencies. Frequencies for this experimental operation should be pulled from the business or land transportation pool of frequencies.

Responses to this correspondence must contain the Reference number : 12366

Sincerely,



James R. Burtle
Chief
Experimental Licensing Branch