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March 27, 2006

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Mr. Julius Knapp
Acting Chief, Office of Engineering & Technology
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

**Re: Experimental Radio Service License WD2XPK
File No. 0046-EX-PL-2005**

Dear Mr. Knapp:

Clarity Media Systems, LLC ("Clarity"), by its counsel, respectfully submits this response to the letter and accompanying informal objection that the Society of Broadcast Engineers ("SBE") submitted to you on March 14, 2006. Clarity, under its former name Clarity Broadcasting Systems, LLC, is licensee of the above-referenced experimental license.

Clarity is a subsidiary of Flying J Inc., one of the leading providers of services to people who drive the nation's highways. Through Clarity, Flying J has developed and tested a technology that will bring multichannel television programming at low cost to over two million unserved citizens. SBE's submission does not dispute the central fact of Clarity's tests, namely, that Clarity's technology worked without causing harmful interference to any SBE constituent's facilities.

Clarity thinks it extremely regrettable that SBE would make a submission to the FCC that would denigrate the needs of millions of hard working Americans and impugn Clarity's intentions. SBE's submission is rife with imagined grievances and untrue and misleading assertions. Clarity takes particular exception to SBE's derisive branding of Clarity's new technology as "Trucker TV". Contrary to SBE's implication, the drivers whom Clarity's technology will serve are not some sub-caste of American society. They are "people of the



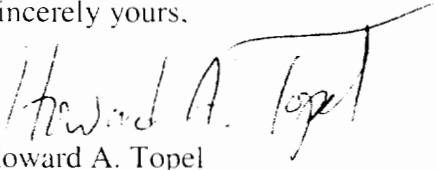
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United States," as described in Section 1 of the Communications Act, and are as entitled to service from adequate facilities at reasonable charges under that statute as anyone else.

Many of the flaws in SBE's letter are self-evident. For example, while implying misleadingly that Clarity concealed its transmitting equipment at Frazier Park (in fact an SBE representative was welcomed to the manufacturing facilities of Clarity's technical consultant to inspect the transmission equipment before the tests, and SBE's description of events is materially incomplete), SBE does not deny that it has had access to that equipment and it cites nothing defective or questionable about it. Its allegations that (i) Clarity's intentions were not honorable, (ii) SBE saw no data regarding the power levels used, and (iii) Clarity's six-month report did not accurately describe the acceptable and anything but "massive" interference that ENG operations will cause to Clarity, are demonstrably untrue. SBE's attempt to bury Clarity's imminent public service in a lengthy rule making is inapposite to the experimental license and inappropriate. The process of application and waiver request is established, entirely proper, and indeed required by the United States Court of Appeals in its *WAIT Radio* decision

Clarity will respond to and refute SBE's allegations in greater detail should SBE pursue them in an opposition to Clarity applications. At this point, Clarity wishes the record of this experimental license to reflect that Clarity firmly disputes SBE's allegations and will prove them specious as warranted.

Sincerely yours,



Howard A. Topel

cc: Christopher D. Imlay, Esq.
Dane E. Ericksen, P.E.