

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Metro Telecom, Inc.	)	WB2X-AB
	)	File No. 0129-EX-RR-2001
Request for Renewal of	)	
Experimental Authorization	)	

To: James R. Burtle
Chief, Experimental Licensing Branch

PETITION FOR RECONSIDERATION

Metro Telecom, Inc. ("Metro" or "Applicant"), by its attorneys and pursuant to Section 1.106 of the Federal Communications Commission ("FCC" or "Commission") Rules and Regulations, respectfully requests reconsideration of the Commission's December 4, 2001 action dismissing without prejudice Metro's request for renewal of the above-identified experimental authorization. Metro's continued operation of this experimental license is essential to its ongoing technical demonstration of the utility of the equipment and techniques developed pursuant to this authorization. It will permit the continued development of operational and engineering data associated with this highly efficient system. For this reason, Metro requests that the FCC reconsider its prior action and, instead, renew the above-identified experimental license.

On June 18, 1999, the Commission granted Metro's request for experimental authority to test the feasibility of and conduct market tests regarding a plan to accommodate the mobile communications requirements of airline carriers and support services involved in the operation of major airports in the New York metropolitan area. The Company's experimental operation utilizes frequencies offset by 12.5 kHz from the mobile side of 454/459 MHz channels assigned for air-

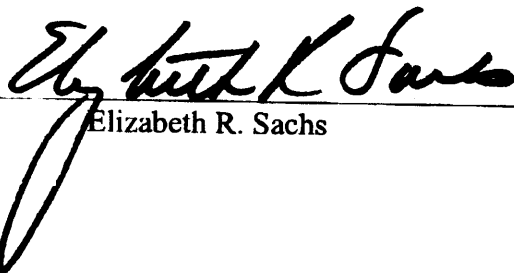
ground services in conjunction with a system that otherwise operates on normally assigned Part 90 450 MHz channel pairs. In response to the Commission's request for further information, on March 25, 1999, Metro clarified that its limited market study would not require customers to acquire any additional equipment and that they would not be charged additional fees. The experimental portion of the system is limited to the base stations operated by Metro using equipment owned by the Company.

Metro believes its experimental program is sufficiently refined to demonstrate the efficacy of its equipment and techniques, as supported by the operational and engineering data the Company continues to develop. Therefore, as anticipated in the above-identified renewal application, the Company submitted a waiver request to the Wireless Telecommunications Bureau ("WTB") on December 13, 2001, in which it seeks permanent, non-experimental approval for this operation. Metro intends to prosecute its request actively and demonstrate to the satisfaction of the WTB that both the equipment used in the system and the techniques utilized to ensure non-interference to other licensed users warrant grant of the relief requested. However, in conjunction with its consideration of the Company's request, Metro anticipates that the FCC may wish to inspect the facilities and to satisfy itself that they operate without causing or receiving interference. The Commission may be particularly interested in a comparison of system operations before and after September 11, 2001, including the pattern of communications in an era of dramatically heightened security. Thus, Metro has a continued need for experimental authority pending Commission disposition of its waiver request so it can demonstrate to the FCC's satisfaction that its equipment and its radio techniques, as evidenced by the associated operational and engineering data, will advance the public interest.

For the reasons described herein, Metro respectfully requests that the FCC reconsider its December 4, 2001 dismissal of the above-identified renewal application. Metro requests renewal of its experimental authorization until such time as the WTB has acted on the Company's waiver request.

Respectfully submitted,

METRO TELECOM, INC.

By: 
Elizabeth R. Sachs

Lukas Nace, Gutierrez & Sachs
1111 19th Street, N.W., Ste. 1200
Washington, D.C. 20036
(202) 857-3500

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