

**NexGen City LP
Experimental License
File No. 0178-EX-PL-2003**

Exhibit 1

On August 25, 2003, the Commission approved experimental license WD2XFA, FCC File No. 0178-EX-PL-2003. This modification application requests authority to conduct experimental operations for the purpose of proof of concept tests and equipment development in six additional locations: Cochise County, Arizona; Lee County, Virginia; New York City, New York; Chambersburg, Pennsylvania; Pittsburgh, Pennsylvania; and Durant, Oklahoma. The equipment to be used will operate in the 2410 – 2470 MHz range. If the tests prove the feasibility of the system, NexGen City LP intends to seek certification for equipment of the same or similar design under Part 15.

Area of Operation: NexGen City LP seeks additional authority to conduct these experimental operations within an 80 km radius of the following locations:

Cochise County, AZ

Ref. Coordinates: NL 31-54-18; WL 109-49-13

Lee County, VA

Ref. Coordinates: NL 36-45-30; WL 83-1-36

New York, NY

Ref. Coordinates: NL 40-42-51; WL 74-0-20

Chambersburg, PA

Ref. Coordinates: NL 39-56-15; WL 77-39-39

Pittsburgh, PA

Ref. Coordinates: NL 40-26-26; WL 79-59-44

Durant, OK

Ref. Coordinates: NL 33-59-28; WL 96-22-25

Purpose of Operation: The proof of concept tests will be conducted in cooperation with public safety agencies in jurisdictions within the proposed operating areas utilizing personnel who are accustomed to the use of radio communications devices in carrying out their duties. The tests will evaluate the suitability of using mesh networks for certain public safety communications needs. The equipment to be tested will supplement other public safety communications equipment.

Number of Units: No more than 10 portable units will be used in each additional geographic market, for a total of 60 units or less. The tests will involve custom built handheld data terminal/communicator units that will incorporate transceivers developed by MeshNetworks, Inc. These transceivers will utilize the transmitter approved for Part 15 use under FCC ID QJEWMC63000902. Because the units will be incorporated into handheld devices that may be worn by public safety officers on their belts, the units will be modified to use a different mounting configuration from that evaluated in the Part 15 authorization for the equipment (*i.e.* 60 handheld or belt-worn devices instead of a laptop computer), but will employ an antenna of the same gain. Experimental authority was granted on December 18, 2003 and February 2, 2004 allowing the equipment to be used for the test to be modified from that otherwise approved under Part 15. See attached authorizations.

The test will also utilize no more than 10 fixed units, which will consist of point-to-point units utilized to link wireless access points. The point-to-point units will employ equipment developed originally for operation under Part 15, but with modified antennas. The effective isotropic radiated power of fixed units will comply with the requirements of Section 15.247.

Tower Painting and Lighting: Fixed units will not involve the extension of the height of any tower, nor will the antenna or supporting structure installed for such antenna extend more than 20 feet above the height of any building. As such, the operation should not pose any tower painting and marking issues.

Equipment Ownership: All RF transmitting equipment operated under the experimental authority will remain the property of NexGen City LP and will be returned to NexGen upon completion of the tests.

Moreover, in accordance with Section 2.803 of the FCC rules, none of units will be marketed. To that end, NexGen will advise entities using the equipment that permission to operate the equipment has been granted under experimental authority issued to NexGen, is strictly temporary and may be canceled at any time. It will also advise entities that operation is subject to the condition that the equipment may not cause harmful interference. Specifically, NexGen proposes to label the equipment conspicuously as follows:

FCC STATEMENT

Permission to operate this device has been granted under experimental authority issued by the Federal Communications Commission to NexGen City LP, Incorporated, is strictly temporary, and may be canceled at any time. Operation is subject to the following two conditions: (i) this device may not cause harmful interference and (2) this device must accept any interference received including interference that may cause undesired operation.

This device has not been authorized as required by the rules of the Federal Communications Commission. This device is not, and may not be, offered for sale or sold until the approval of the FCC has been obtained. Thus, the user does not hold a property right in the device and may be required to return the device.

RF Exposure: The equipment for which this STA is sought will communicate with MeshNetwork equipment approved under Part 15 and modified fixed transmitters designed to comply with Part 15, all of which will be installed in a limited network. With an effective radiated power of no more than 24 dBm (0.251 Watts), the mobile/portable equipment to be used is well below the 100 Watt ERP threshold above which experimental applications are subject to routine environmental review under Section 1.1307 of the Commission rules. Similarly, the fixed point-to-point equipment will be limited to an ERP of no more than 37 dBm (calculated as follows: 22 dBm output, max ant gain of 20 dBi, derating for 14 dB above 6 dBi of -5 db), which would be consistent with Section 15.247. All fixed point-to-point equipment that is mounted on a tower will be mounted at least 5 meters above ground level in a secure fashion and will not be easily accessible by unauthorized persons. Building mounted point-to-point antennas will be located in secure areas not easily accessible by unauthorized persons.

Duration: This modification application does not request a change in the term of the license WD2XFA. That license will expire on September 1, 2005.

TCB**GRANT OF EQUIPMENT
AUTHORIZATION****TCB****Certification****Issued Under the Authority of the
Federal Communications Commission****By:****MET Laboratories, Inc.
914 W. Patapsco Avenue
Baltimore, MD 21230-3432****Date of Grant: 12/18/2003****Application Dated: 12/18/2003****NexGen City LP
1680 Glenville Drive
Richardson, TX 75081
United States****Attention: Dave Meitzen , Chief Operating Engineer****NOT TRANSFERABLE**

EQUIPMENT AUTHORIZATION is hereby issued to the named GRANTEE, and
is VALID ONLY for the equipment identified hereon for use under the
Commission's Rules and Regulations listed below.

FCC IDENTIFIER: RL7-SKU102-001-0X**Name of Grantee: NexGen City LP****Equipment Class: Digital Transmission System****Notes: NexPod**

<u>Grant Notes</u>	<u>FCC Rule Parts</u>	<u>Frequency Range (MHZ)</u>	<u>Output Watts</u>	<u>Frequency Tolerance</u>	<u>Emission Designator</u>
CE	15C	2412.0 - 2462.0	0.32		

Power Output listed is conducted. This device and its antenna(s) must not be co-located or operating in conjunction with any other antenna or transmitter. This device is approved for use on fixed-mounted outdoor permanent structures using the antennas documented in the filing.

CE: This device has shown compliance with the conducted emissions limits in 15.107, 15.207, or 18.307 adopted under FCC 02-157 (ET Docket 98-80). The device may be marketed after July 11, 2005, and is not affected by the 15.37(j) or 18.123 transition provisions.

TCB**GRANT OF EQUIPMENT
AUTHORIZATION****TCB****Certification****Issued Under the Authority of the
Federal Communications Commission****By:****MET Laboratories, Inc.
914 W. Patapsco Avenue
Baltimore, MD 21230-3432****Date of Grant: 02/02/2004****Application Dated: 02/02/2004****NexGen City LP
1680 Glenville Drive
Richardson, TX 75081
United States****Attention: Dave Meitzen , Chief Operating Engineer****NOT TRANSFERABLE**

EQUIPMENT AUTHORIZATION is hereby issued to the named GRANTEE, and is VALID ONLY for the equipment identified hereon for use under the Commission's Rules and Regulations listed below.

FCC IDENTIFIER: RL7-SKU102-001-0A**Name of Grantee: NexGen City LP****Equipment Class: Digital Transmission System****Notes: NexPod**

<u>Grant Notes</u>	<u>FCC Rule Parts</u>	<u>Frequency Range (MHZ)</u>	<u>Output Watts</u>	<u>Frequency Tolerance</u>	<u>Emission Designator</u>
20 CE	15C	2412.0 - 2470.0	0.32		

Power Output listed is conducted. This device must be professionally installed. Marketing to the General Public is prohibited. Only the antennas documented in the filing are approved for use with this device. The use of a different antenna not previously approved for this device, or the use of an internal antenna, requires the applicant to file a Class II permissive change. The antenna used for this transmitter must be installed to provide a separation distance of at least 20 cm from all persons and must not be co-located or operating in conjunction with any other antenna or transmitter. End-users and installers must be provided with antenna installation instructions and transmitter operating conditions for satisfying RF exposure compliance. Max antenna gain as listed in this filing +18dBi.

20: All electrical and mechanical devices employed for spurious radiation suppression, including any modifications made during certification testing, must be incorporated in each unit marketed.

CE: This device has shown compliance with the conducted emissions limits in 15.107, 15.207, or 18.307 adopted under FCC 02-157 (ET Docket 98-80). The device may be marketed after July 11, 2005, and is not affected by the 15.37(j) or 18.123 transition provisions.