

October 25, 2004

Office of Engineering and Technology
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Pursuant to Part 5 of the Rules of the Federal Communications Commission ("Commission"), Nextel Communications, Inc. ("Nextel") respectfully requests an Experimental Radio Station Special Temporary Authorization ("STA") for use of frequencies 1965 –1990 MHz and 1990 - 2000 MHz (1965-2000 MHz) on a secondary, non-interference basis nationwide. Nextel requests this authorization to drive test use of this spectrum in conjunction with its existing licensing authority in the 800 MHz band.

Nextel currently provides wide-area digital Specialized Mobile Radio ("SMR") throughout much of the United States utilizing spectrum in the 800 MHz and 900 MHz frequency band. Nextel's wide-area SMR services make efficient use of the spectrum by employing digital technologies and low power, multiple-tower cellular-like architectures that enable call hand-off and channel re-use throughout a larger geographic area. Nextel's wide-area SMR services, moreover, provide the user a combination of telecommunications services in a single handset, including digital push-to-talk services, cellular telephone, paging, and data services.

As the Commission is well aware, Nextel has been an active participant in the WT Docket 02-55, *Improving Public Safety Communications in the 800 MHz Band*. If Nextel accepts the terms and conditions of the *Report and Order*, Nextel would receive 10 MHz of replacement spectrum at 1910-1915 MHz paired with 1990-1995 MHz to replace its current spectrum holdings in the 800 MHz band so that public safety realignment can occur. In order that Nextel be in a position to make rapid use of this replacement spectrum and maintain quality of service for its 15 million plus customers, Nextel must perform significant radio frequency ("RF") design work in advance of network infrastructure build-out and deployment. To perform that design work Nextel must tune its RF propagation software for the spectrum (or nearby spectrum) that it would seek to deploy and this can only be done through brief (less than one week per market) drive testing in numerous markets across the country. Therefore, Nextel requests an nationwide experimental STA so that it may test using the "downlink" portion of the 1.9 GHz band at 1990-1995 MHz, immediately adjacent to the PCS downlink band, to gather propagation data. Because this spectrum is current being utilized by incumbent Broadcast Auxiliary Service ("BAS") licensees, Nextel is prepared to work with incumbents in each market in seeks to test and ensure that there will

be no harmful interference. Nextel will accept a condition on its Experimental STA to that affect.

Because in some markets, it may be more difficult as a logistical matter to coordinate drive testing with incumbent BAS licensees, Nextel also requests use of fallow C and E, and F PCS Block spectrum where the individual licenses have already been cancelled by the Commission and the spectrum is not currently operational by the former licensee. This spectrum is awaiting re-auction by the Commission in FCC Auction 58, scheduled for January 26, 2004. Because this spectrum is unencumbered, Nextel can drive test these markets with little to no coordination among incumbent licensees. Accordingly, Nextel would restrict its testing of PCS spectrum to those markets where there are no existing PCS licensees. Due to the accelerated nature of Nextel's planned testing, Nextel anticipates being completed with its testing before the start of Auction 58 in January.

Nextel requests nationwide authority and flexibility in order to conduct tests in more than one market simultaneously. Because of its extensive licensing authority, Nextel is extremely familiar with Commission licensing rules and requirements and will take necessary measures to ensure that these tests cause no harmful interference to any primary licensee.

Should the Commission have any questions regarding this matter, please contact the undersigned at (703) 433-4212.

Respectfully submitted,

/s/ James B. Goldstein

James B. Goldstein
Senior Attorney – Government Affairs
Nextel Communications