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November 3, 2014

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: FCC File Nos. 0006500923, 0006500924, 0006500925, 0006500926,  
0006500929 and 0006501024

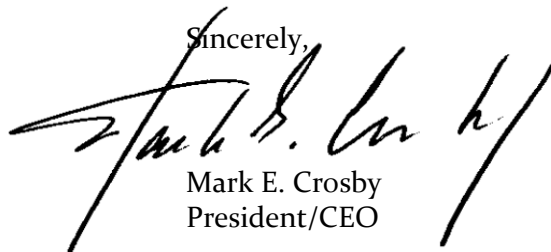
Dear Ms. Dortch:

This responds to the October 20, 2014, letter from Smartcomm, LLC (“Smartcomm”) regarding the above-referenced EWA-certified applications seeking 800 MHz channels.<sup>1</sup>

While Smartcomm’s diligent surveillance of these applications is commendable for purposes of ensuring that 800 MHz applications comply with all applicable FCC Rules and Regulations, in this instance, they have misunderstood the FCC *Public Notice* referenced in their Informal Objection. The 70-mile statement referenced in FCC *Public Notice* DA 12-1838<sup>2</sup> is not applicable to the above-referenced applications. It applies only to applications for frequencies in the new NPSPAC band (806-809/851-854 MHz) filed in a “cleared” NPSPAC region and states that such applications do not require Transition Administrator approval if the sites are located at least 70 miles from the border of an adjacent, “still-frozen” NPSPAC region. The applications challenged by Smartcomm request Guard Band (816-817/861-862 MHz) frequencies. Consequently, Smartcomm’s request that these applications be dismissed because a 70-mile radius from their proposed sites overlaps into Region 54 should be denied.

Please contact me should further information be necessary from EWA in this matter.

Sincerely,



Mark E. Crosby  
President/CEO

cc: M. Rob Somers (Via USPS)  
Tripp Forrest (Via USPS)

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<sup>1</sup> See letter from Mr. M. Rob Somers, General Counsel, Smartcomm, LLC dated October 20, 2014.

<sup>2</sup> FCC Public Notice DA 12-1838 in WT Docket No. 02-55, released November 27, 2012.