Enterprise Wireless Alliance

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September 25, 2023

VIA ELECTRONIC MAIL (roger.noel@fcc.gov)
Roger Noel, Chief
Mobility Division
Wireless Telecommunications Bureau
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Re: Initium Novum
File Nos. 0008743857/61/64

Dear Mr. Noel:

The Enterprise Wireless Alliance ("EWA") supports the ongoing effort by the Federal Communications Commission ("FCC") to maximize the use of spectrum. For that reason, we again urge the FCC to take prompt action on the above-identified applications submitted by Initium Novum, LLC ("IN") more than four years ago.

The record in this matter is complete. The Monitoring Association ("TMA"), the FCC-certified Frequency Advisory Committee ("FAC") for the central station channels requested by IN, stated when the applications were filed:

> Therefore, based on the eligibility requirements for the requested frequencies, TMA cannot recommend that the proposed activities qualify for central station channels.[1]

More recently, it advised the FCC that "…allowing ineligible applicants to apply for eligibility restricted channels delays their availability to qualified applicants, as has

[1] *See, e.g.*, FCC File No. 0008743857, Felony Statement and Coordination Recommendation.

happened in this case."[2] IN disagrees and claims that its proposed activities qualify as central station service and that its eligibility for this spectrum is without question.[3]

The above-identified applications seek authority to operate two central station channels at multiple sites in and around New York City, Boston, and Chicago. The attached contour maps demonstrate the large areas around those three major markets where no one can use the spectrum at issue, not IN nor any other entity, until the FCC acts on these applications.

The positions of TMA and IN are fully addressed in the record. EWA assumes TMA, the FAC certified by the FCC to oversee the use of this spectrum, is best qualified to assess the eligibility of those seeking central station channels. However, if the FCC requires additional information from either or both parties before making a decision, EWA requests that it do so promptly. As EWA has stated previously, it is contrary to the public interest and not sound spectrum management for these channels to remain unused any longer. EWA urges the FCC to dispose of the applications consistent with the record at the earliest opportunity.

Sincerely,

ENTERPRISE WIRELESS ALLIANCE

Robin J. Cohen

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Attachments

[2] Letter from John A. Prendergast and Richard A. Rubino to Marlene H. Dortch (filed February 17, 2022).

[3] IN has stated that its Intertek rating, which expired on June 27 2020, cannot be renewed until the FCC has granted these applications. *See* Letter from Marjorie K. Connor to Marlene H. Dortch (filed January 25, 2022).

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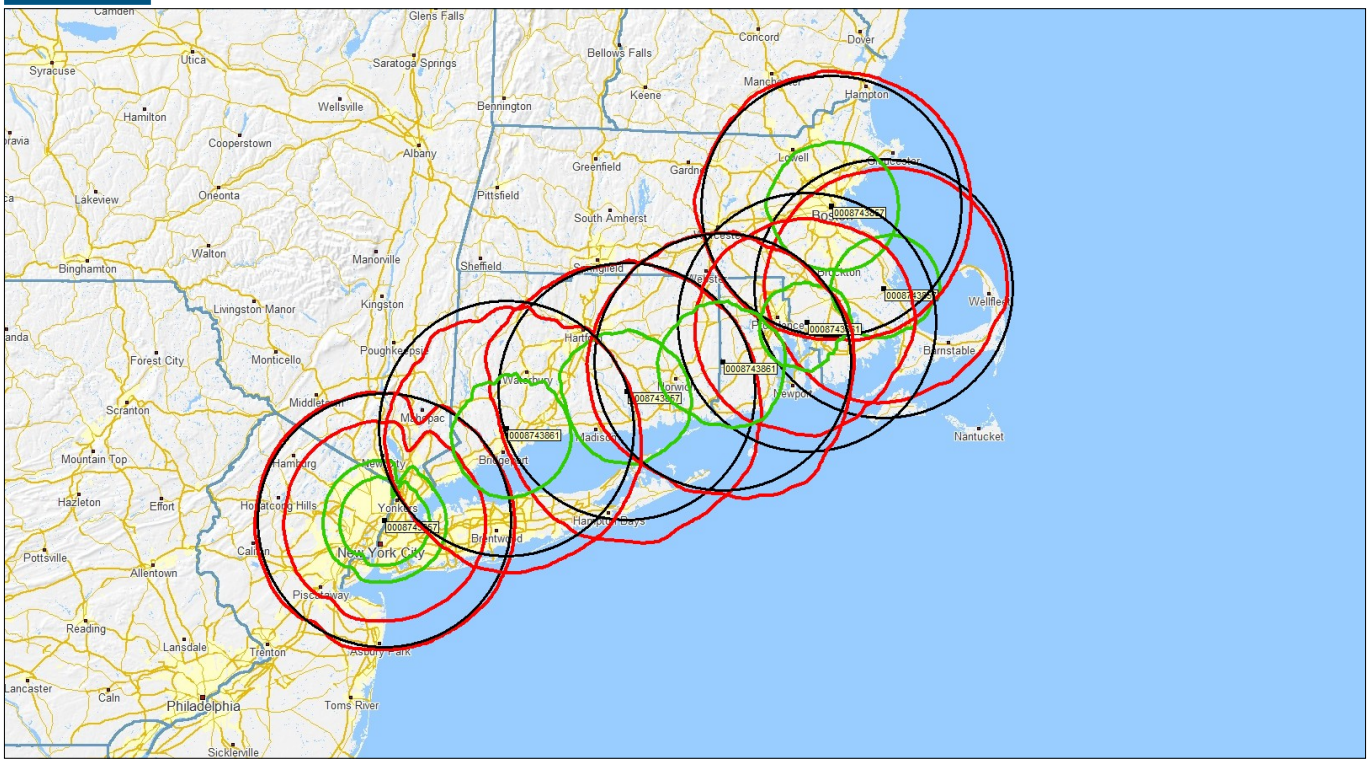
FCC Contour Result



Callsign	Latitude	Longitude	Freq (MHz)	Antenna Height (m)	ERP (W)	Emission
0008743857	40° 49' 42.6" N	73° 58' 46.5" W	460.925	94.8	375	7K60FXD
0008743857	40° 49' 42.6" N	73° 58' 46.5" W	461	94.8	75.03	7K60FXE
0008743857	41° 27' 39.3" N	72° 23' 42.7" W	460.9	92.9	375	7K60FXD
0008743857	41° 27' 39.3" N	72° 23' 42.7" W	460.925	92.9	375	7K60FXE
0008743857	41° 57' 38.0" N	70° 43' 16.6" W	460.95	100	375	7K60FXE
0008743857	41° 57' 38.0" N	70° 43' 16.6" W	460.975	100	375	7K60FXD
0008743857	42° 21' 31.0" N	71° 03' 39.0" W	460.9	172	375	7K60FXD
0008743857	42° 21' 31.0" N	71° 03' 39.0" W	460.95	172	375	7K60FXE
0008743861	41° 47' 47.2" N	71° 13' 24.4" W	460.95	57.9	375	7K60FXD
0008743861	41° 47' 47.2" N	71° 13' 24.4" W	460.975	57.9	375	7K60FXE
0008743861	41° 36' 24.0" N	71° 46' 23.0" W	460.95	101	375	7K60FXD
0008743861	41° 36' 24.0" N	71° 46' 23.0" W	460.975	101	375	7K60FXE
0008743861	41° 16' 44.3" N	73° 11' 06.4" W	460.95	76	375	7K60FXD
0008743861	41° 16' 44.3" N	73° 11' 06.4" W	460.975	76	375	7K60FXE

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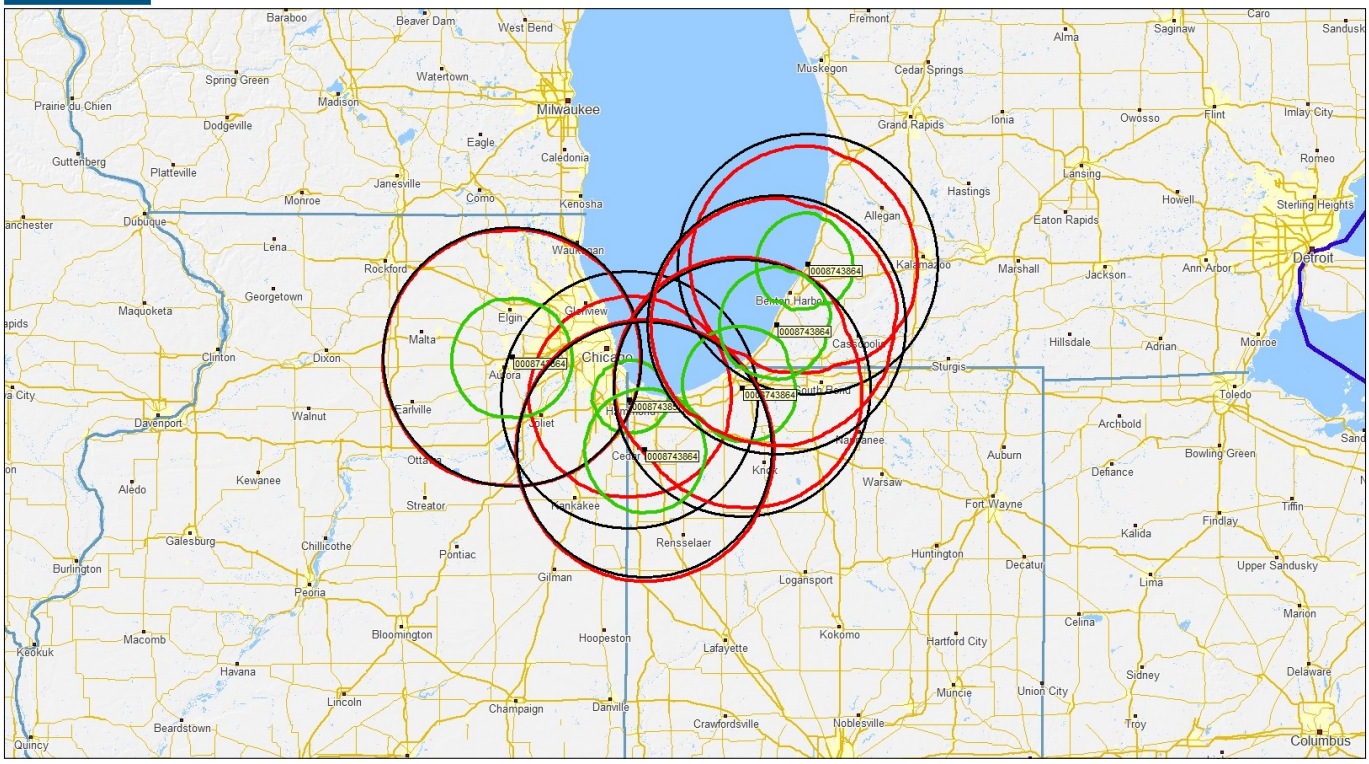
FCC Contour Result



Callsign	Latitude	Longitude	Freq (MHz)	Antenna Height (m)	ERP (W)	Emission
0008743857	41° 35' 42.7" N	87° 30' 07.6" W	460.925	46.3	375	7K60FXD
0008743857	41° 35' 42.7" N	87° 30' 07.6" W	460.95	46.3	375	7K60FXE
0008743864	42° 15' 11.4" N	86° 20' 10.9" W	460.925	76.5	375	7K60FXD
0008743864	42° 15' 11.4" N	86° 20' 10.9" W	460.975	76.5	375	7K60FXE
0008743864	41° 48' 27.0" N	88° 16' 06.5" W	460.925	137.5	375	7K60FXD
0008743864	41° 48' 27.0" N	88° 16' 06.5" W	460.95	137.5	375	7K60FXE
0008743864	41° 39' 23.2" N	86° 45' 58.1" W	460.925	70.1	375	7K60FXD
0008743864	41° 39' 23.2" N	86° 45' 58.1" W	460.975	70.1	375	7K60FXE
0008743864	41° 21' 10.0" N	87° 24' 12.1" W	460.925	151	375	7K60FXD
0008743864	41° 21' 10.0" N	87° 24' 12.1" W	460.95	151	375	7K60FXE
0008743864	41° 57' 43.2" N	86° 32' 23.1" W	460.925	106	375	7K60FXD
0008743864	41° 57' 43.2" N	86° 32' 23.1" W	460.975	106	375	7K60FXE