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Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**Re: 2,457 Part 101 Licenses Held by Metropolitan Area Networks, Inc.**

Dear Ms. Dortch:

I am writing on behalf of the Fixed Wireless Communications Coalition (FWCC), many of whose members are adversely affected by the situation described below.<sup>1</sup>

During the period from January 11, 2008, to March 3, 2009, the Commission granted some 2,457 Part 101 licenses to Metropolitan Area Networks, Inc. (MAN).<sup>2</sup> These have since been consolidated under call sign WQJE757, file number 0003869908.

<sup>1</sup> The FWCC is a coalition of companies, associations, and individuals interested in the Fixed Service—i.e., in terrestrial fixed microwave communications. Our membership includes manufacturers of microwave equipment, fixed microwave engineering firms, licensees of terrestrial fixed microwave systems and their associations, and communications service providers and their associations. The membership also includes railroads, public utilities, petroleum and pipeline entities, public safety agencies, cable TV providers, backhaul providers, and/or their respective associations, communications carriers, and telecom attorneys and engineers. Our members build, install, and use both licensed and unlicensed point-to-point, point-to-multipoint, and other fixed wireless systems, in frequency bands from 900 MHz to 95 GHz. For more information, see [www.fwcc.us](http://www.fwcc.us).

<sup>2</sup> See “Request for Waiver and Extension of Construction Deadline for Part 101 Fixed Microwave Services Licenses” of Metropolitan Area Networks, Inc. (filed June 11, 2009) (MAN Extension Request).

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The Commission's Part 101 Rules provide: "Each Station [with exceptions not relevant here] must be in operation within 18 months from the initial date of grant."<sup>3</sup> Further, "[f]ailure to timely begin operation means the authorization cancels automatically."<sup>4</sup>

On June 11, 2009, MAN sought an extension of the construction deadlines for its 2,457 licenses until March 3, 2011.<sup>5</sup> Its stated ground for the extension was the "lengthy delay in the Commission's actions in the White Spaces proceeding."<sup>6</sup>

The requested extension date has long since passed. The "white space" rules are in effect, with service scheduled to begin this month.<sup>7</sup> Yet the MAN facilities remain unbuilt.

Under the terms of Section 101.63(c), the licenses should have canceled automatically on March 4, 2011. But they inexplicably remain in the Commission's licensing database. Their continuing presence in the database impedes the frequency coordination of links that, if licensed, will actually begin operation.

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<sup>3</sup> 47 C.F.R. § 101.63(a).

<sup>4</sup> 47 C.F.R. § 101.63(c).

<sup>5</sup> MAN Extension Request.

<sup>6</sup> *Id.* at i.

<sup>7</sup> *Office of Engineering and Technology Announces the Approval of Spectrum Bridge, Inc.'s TV Bands Database System for Operation*, ET Docket No. 04-186, DA 11-2043 (released Dec. 22, 2011).

Marlene H. Dortch, Secretary

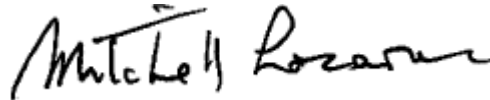
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The FWCC asks the Commission to follow the plain language of its own rules by promptly canceling and deleting from the database any MAN licenses for facilities that had not commenced operation on or before March 3, 2011.

Respectfully submitted,



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