

John Muleta
Chief, Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Dear Mr. Muleta:

Pursuant to Section 27.607 of the Federal Communications Commission's ("FCC") Rules¹ and the *Memorandum Opinion and Order* granting its request for waiver to provide band management services in the 220-222 MHz band,² Access 220, LLC ("Access 220"), a wholly owned subsidiary of Access Spectrum, LLC, is pleased to provide this Annual Report on its progress in providing band management services utilizing its 220-222 MHz licenses.

As of January 1, 2004, Access 220 has entered into five Spectrum Use Agreements ("SUA"), all of which are with unaffiliated entities. Two SUAs authorize the deployment of voice systems and have ten-year terms. One SUA authorizes the deployment of a fixed data system and has a ten-year term. Two SUAs authorize the deployment of a voice and data systems and have three-year terms. Access 220 has greater than 50 percent of its spectrum available under each of its 220 MHz licenses.

Neither Access 220 nor any affiliated entities use Access 220's licensed 220-222 MHz spectrum, although a few temporary operations have been conducted by Motorola for product demonstration and evaluation purposes. Motorola is a non-attributable investor in Access 220's parent company, Access Spectrum, LLC.

Access 220 continues to make progress towards its spectrum leasing business plans, consistent with its business objectives and FCC expectations. Due to our strong foundation of technical competency and equipment availability, we expect the pace of leasing to accelerate, and are actively negotiating with additional potential users of 220-222 MHz spectrum. Building on this foundation, Access 220 will continue to move forward to meet additional demand for 220-222 MHz spectrum. Please feel free to contact me if you have any questions.

Sincerely,

Mark E. Crosby

Mark E. Crosby
President

¹ See 47 C.F.R. §27.607; Band Managers' Annual Report Are Due March 1, 2004, *Public Notice*, DA 04-148 (rel. January 23, 2004).

² See Request for Waivers to Provide Band Management Services Utilizing Licenses in the 220-222 MHz Band, WT Docket 02-224, *Memorandum Opinion and Order*, 17 FCC Rcd 20464 (2002).

