

**DISSENTING STATEMENT OF  
COMMISSIONER MICHAEL J. COPPS**

*Re: Spectrum IVDS, L.L.C.: Request for Reconsideration of License Renewal and Reinstatement of the 218-219 MHz Service B Block for Market IVM005, Detroit/Ann Arbor, Michigan, Call Sign KIVD0019, Memorandum Opinion and Order, FCC 10-131*

Although I whole-heartedly agree with this decision's sentiment that the Commission must preserve the integrity of its spectrum auction processes through vigilant enforcement of its regulations, the denial of Spectrum IVDS' Application for Review stands to weaken licensees' ability to rely on the words and actions of this agency. I understand that the payment notice, sent by this Commission to Spectrum IVDS on January 3, 2005, was not statutorily mandated. However, it does not strike me as unreasonable for an interested party, particularly an eligible entity, to claim reliance on a written notice made by this agency. That notice allowed for payment of part of the installment loan obligation beyond January 18, 2005, the end of the licensee's initial license term. Thus, the Commission played an arguably significant role in creating confusion surrounding Spectrum IVDS' payment deadlines. In light of these circumstances, it is my belief that the Commission could have, and more importantly should have, facilitated a more appropriate and understanding resolution to this matter, especially given Spectrum IVDS' substantial payment of its loan obligation. Accordingly, I must respectfully dissent from this decision.