

## SPRINT WIMAX SHUTDOWN LEGAL BATTLE HEATS UP, KANSAS CITY STAR

By Mark Davis

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Non-profit groups that sued Sprint Corp. over next week's shut down of its WiMax network now seek an emergency court order to keep the service running for 90 days.

The groups have said ending WiMax service would sever the low-cost broadband connections of 300,000 low-income users in several markets they serve, including Kansas City. They sell the service under the names Mobile Beacon and Mobile Citizen.

Sprint said the issue is a contract dispute and that it has successfully migrated other similar WiMax users to its newer network technology called LTE, or Long Term Evolution.

"We're disappointed that Mobile Beacon and Mobile Citizen continue to avoid acting in the best interests of the educational community they claim to serve by failing to respond to our repeated offers to resolve this matter over the past year and a half," Sprint spokeswoman Marci VerBrugge-Rhind said in an email.

Sprint provides the non-profits access to its network through agreements that allowed the Overland Park-based carrier to use airwaves licensed by the federal government to the non-profits.

Documents provided by the non-profits show they want the state court in Massachusetts to approve a preliminary injunction. It would delay the scheduled Nov. 6 shutdown of WiMax for 90 days to allow the consumers to migrate to LTE. It also includes court direction to Sprint on the terms of the LTE service and LTE-capable equipment for the groups' customers.

A hearing on the injunction originally set for Tuesday has been rescheduled for Nov. 3, VerBrugge-Rhind said.

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