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May 27, 1999

By Hand Delivery

Magalie Roman Salas, Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, S.W., Suite TWE204  
Washington, D.C. 20554

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MAY 27 1999

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: EX PARTE NOTIFICATION

Amendment of the Commission's Rules Regarding the 37.0-38.6 GHz and  
38.6-40.0 GHz Bands, ET Docket No. 95-183/

Implementation of Section 309(j) of the Communications Act -- Competitive  
Bidding, 37.0-38.6 GHz and 38.6-40.0 GHz, PP Docket No. 93-253

Dear Ms. Salas:

Pursuant to Section 1.1206(b) (2) of the Commission's Rules, this is to advise that undersigned counsel for Commco L.L.C., PLAINCOM, INC., Sintra Capital Corporation and Eric Stermann ("Joint Petitioners") met on May 26, 1999 with Christopher Wright, General Counsel of the FCC, and Suzanne Tetreault, Deputy Associate General Counsel of the FCC's Administrative Law Division, in connection with the above-referenced proceeding. Joint Petitioners have filed a Petition for Reconsideration and Clarification of the Commission's November 3, 1997 Report and Order and Second Notice of Proposed Rulemaking ("Report and Order") in the above-referenced proceeding.

Undersigned counsel's oral presentation addressed the Commission's refusal to give effect to amendments of right filed with respect to pending 39 GHz applications and the notion of "ripeness" adopted by the Commission in connection with its decision to dismiss pending applications. The presentation also concerned Joint Petitioners' request for a 90-day period in which to settle pending applications through such means as amendments of right and voluntary dismissals.

An original and one copy of this letter are being filed.

Sincerely,

*Louis Gurman (AGB)*

Louis Gurman

cc: Christopher J. Wright, Esq.  
Suzanne M. Tetreault, Esq.

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