

ALSTON & BIRD LLP

ORIGINAL

601 Pennsylvania Avenue, N.W.
North Building, 11th Floor
Washington, DC 20004-2601

202-756-3300
Fax: 202-756-3333
www.alston.com

June 29, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie Roman Salas, Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325V
Washington, DC 20554

SmartSynch, Inc. FCC Meeting Notice

Dear Ms. Salas:

SmartSynch, Inc. ("SmartSynch"), by its attorneys, hereby submits an original and two copies of this written notice of its meeting with the FCC, which took place on June 21, 2001. On that date, two SmartSynch representatives, CEO Mark E. Rodgers, and V.P. Stephen D. Johnston, met with an official in the FCC's Office of Engineering and Technology Spectrum Policy Branch.

The parties to the meeting engaged in no communications directed at the merits or outcome of any pending FCC proceeding. Consequently, the meeting does not qualify as an ex parte "presentation," as defined in Section 1.202(a) of the Commission's Rules;¹ and the Commission's notification requirements regarding ex parte meetings do not apply in this instance.²

While none of the meeting participants discussed the merits or outcome of any FCC proceeding, part of the discussion may have related indirectly to the subject matter of two pending FCC spectrum allocation proceedings which have been designated as "permit but disclose" proceedings for purposes of the Commission's ex parte rules. These proceedings correspond to ET Docket Nos. 00-221³ and 00-258,⁴ Accordingly, out

¹ See 47 C.F.R. § 1.202(a).

² See 47 C.F.R. § 1.1200(a), which states that "the Commission has prescribed rules to regulate ex parte presentations in Commission proceedings." 47 C.F.R. § 1.1200(a) (emphasis added).

³ See In the Matter of Reallocation of the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands, Notice of Proposed Rulemaking, FCC 00-395, ¶ 68 (Nov. 20, 2000).

⁴ See FCC Releases Staff Final Report "Spectrum Study of 2500-2690 MHz Band: The Potential for Accommodating Third Generation Mobile Systems," Public Notice, DA 01-786 (Mar. 30, 2001).

One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-3424
404-881-7000
Fax: 404-881-7777

Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
704-444-1000
Fax: 704-444-1111

90 Park Avenue
New York, NY 10016
212-210-9400
Fax: 212-210-9444

3605 Glenwood Avenue
Suite 310
Raleigh, NC 27612-4957
919-420-2200
Fax: 919-420-2260

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of an abundance of caution, SmartSynch provides a brief synopsis of the subject matter discussed in the meeting at issue.⁵

As a company specializing in wireless telemetry, SmartSynch arranged the meeting for the purpose of discussing the evolution of emerging technologies. The meeting consisted of a general discussion respecting the wireless telemetry business; and the Commission's policies concerning spectrum allocation, and wireless technology development from "second generation" to "third generation."

Thank you for your attention to this matter. If you require any further information, kindly contact SmartSynch's undersigned attorneys.

Respectfully submitted,



Frederick M. Joyce
Ronald E. Quirk, Jr.
Counsel to SmartSynch, Inc.

cc: Ira Keltz, OET
Rodney Small, OET
Mark E. Rodgers, SmartSynch
Stephen D. Johnston, SmartSynch

⁵ Section 1.1206(b)(2) of the Commission's Rules requires that any party to an oral ex parte presentation in a "permit but disclose" proceeding file a brief summary of that presentation with the Commission. 47 C.F.R. § 1.1206(b)(2).