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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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February 1, 2002

William Caton, Acting Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554

Re: *Ex Parte* Notification in ET Docket No. 98-153

Dear Mr. Caton:

On January 31, 2002, Richard E. Wiley, Mary Jo Manning and I, on behalf of Time Domain Corporation, met with Deputy General Counsel John Rogovin and Joel Kaufman and Daniel Harrold of the OGC staff to discuss the above-captioned proceeding. We discussed the need for timely Commission action in this proceeding with operational parameters that would allow for the commercial development of ultra wideband technology and the Commission's authority to take such action. Specifically, we discussed the development of Commission precedent related to the adoption of Part 15 of the FCC's rules as well as the statutory authority for Commission action in this proceeding as contained in Titles I and III of the Communications Act of 1934, the Administrative Procedure Act and National Telecommunications Act of 1992.

In accordance with the Commission's rules, an original and one copy of this notification are being filed. If you have any questions or would like anything further, please let me know.

Sincerely,

Robert L. Pettit

cc: John Rogovin, Esquire
Joel Kaufman, Esquire
Daniel Harrold, Esquire

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