

**CINGULAR WIRELESS LLC**

November 27, 2002

***VIA ELECTRONIC SUBMISSION***

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Presentation  
*Mobile Satellite Systems – Terrestrial Services*  
*IB Docket No. 01-185; ET Docket No. 95-18*

Dear Ms. Dortch:

On November 26, 2002, Michael Goggin, Andrew Clegg, and the undersigned, all of Cingular Wireless LLC (“Cingular”), and Luisa L. Lancetti, Vice President, PCS Regulatory Affairs, Sprint Corporation (“Sprint”), met with Bryan N. Tramont, Senior Legal Advisor to Chairman Powell. The participants discussed the issues raised in the Telcordia Analysis submitted by Cingular and Sprint on May 13, 2002,<sup>1</sup> which documented that providing both MSS and ATC within the same spectrum band is not spectrum efficient. Consistent with the Telcordia Analysis, the participants emphasized that band segmentation is the most efficient use of the spectrum. If the Commission adopts “gating criteria” for the provision of ATC service, then it must assure that MSS remains the primary use and it must not permit the *de facto* reallocation of MSS spectrum to terrestrial use.

Pursuant to Section 1.1206(b) of the Commission’s rules, 47 C.F.R. § 1.1206(b), copies of this letter are being filed electronically via the Commission’s Electronic Comment Filing System in IB Docket No. 01-185 and ET Docket No. 95-18.

Respectfully submitted,

/s/ Brian Fontes  
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cc: Bryan N. Tramont

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<sup>1</sup> See Cingular/Sprint *Ex Parte* (May 13, 2002), Attachment A, Dr. Jay Padgett, Senior Research Scientist, Telcordia Technologies, “Analysis of Spectrum Sharing Between MSS and Terrestrial Wireless Services” (May 10, 2002) (“Telcordia Analysis”).