

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 27, 2002, Michael Goggin, Andrew Clegg, and the undersigned, all of Cingular Wireless LLC (“Cingular”), met with Commissioner Kevin J. Martin and his Legal Advisor, Samuel L. Feder. The participants discussed the issues raised in the Telcordia Analysis submitted by Cingular and Sprint Corporation (“Sprint”) on May 13, 2002,¹ 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: Kevin J. Martin
Samuel L. Feder

¹ 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”).