

# HOGAN & HARTSON

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Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW-B204  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

**Re: Amendment of Part 2 of the Commission's Rules to Allocate  
Spectrum Below 3 GHz for Mobile and Fixed Services  
ET Docket No. 00-258  
*Ex Parte* Communications**

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission's rules, I am writing on behalf of NEC America, Inc. ("NEC") to notify you of three *ex parte* communications made to Commission staff on January 28, 2003 in connection with the above-referenced proceeding. The communications were made to discuss comments and reply comments previously filed by NEC in this docket.

NEC is a manufacturer of private branch exchange ("PBX") and key telephone systems that incorporate wireless handset capabilities using spectrum allocated for unlicensed PCS ("UPCS"). The communications focused on various proposals raised in this docket for use of the 1910-1920 MHz band, including the UTAM/UTStarcom proposal to allow isochronous UPCS and low-power Community Wireless Network ("CWN") operations in the band. Specifically, the communications were intended to inform the Commission staff about a recent *ex parte* submission from UTAM expressing support for NEC's proposal for use of 1916-1920 MHz.

*Ex parte* communications were made to Bruce Franca, Deputy Chief, Office of Engineering and Technology, Jennifer Manner, Senior Counsel to Commissioner Abernathy, Bryan Tramont, Senior Legal Advisor to Chairman Powell and Barry Ohlson, Legal Advisor to Commissioner Adelstein.

An original and one copy of this letter are submitted for inclusion in the proceeding record.

Respectfully submitted,

  
Ari Q. Fitzgerald  
Counsel for NEC America, Inc.

Cc: Bruce Franca  
Jennifer Manner  
Bryan Tramont  
Barry Ohlson

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