

HOGAN & HARTSON
L.L.P.

ARI Q. FITZGERALD
PARTNER
(202) 637-5423
AQFITZGERALD@HHLAW.COM

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COLUMBIA SQUARE
555 THIRTEENTH STREET, NW
WASHINGTON, DC 20004-1109
TEL (202) 637-5600
FAX (202) 637-5910
WWW.HHLAW.COM

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

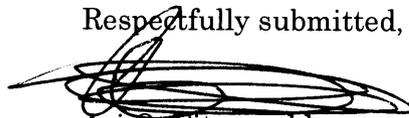
**Re: Amendment of Part 2 of the Commission's Rules to Allocate
Spectrum Below 3 GHz for Mobile and Fixed Services
ET Docket No. 00-258
Ex Parte Communication**

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 an *ex parte* communication made to Sam Feder, Legal Advisor to Commissioner Martin, on January 29, 2003 in connection with the above-referenced proceeding. The communication was made to discuss comments and reply comments previously filed by NEC in this docket.

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: Sam Feder