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April 11, 2003

Via Electronic Comment Filing System

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: EX PARTE

Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands
WT Docket No. 03-66, RM-10586

Dear Ms. Dortch:

On Friday, April 11, 2003, Monsignor Michael J. Dempsey of the Diocese of Brooklyn and President of the Catholic Television Network (CTN), Michael Lavery from the Archdiocese of New York, David G. Moore from the Archdiocese of Los Angeles, Ken Kolb from the Archdiocese of Detroit, Michael McGee from the Diocese of Dallas and the undersigned met with Commissioner Kevin J. Martin and Sam Feder, Legal Advisor on Spectrum and International Issues for Commissioner Martin; Commissioner Jonathan S. Adelstein Barry Ohlson, Legal Advisor on Wireless Issues for Commissioner Adelstein; and Commissioner Michael J. Copps and Paul Margie, Spectrum and International Advisor to Commissioner Copps. At each of these three meetings, we discussed why Instructional Television Fixed Service is important to CTN, how spectrum leasing offers significant benefits, and CTN's overall objectives in the above-referenced rulemaking proceeding. A summary of the points made at each of the meetings is attached to this letter.

As permitted by Section 1.49(f)(1)(i), this *ex parte* submission and the associated attachment is being filed via the Commission's Electronic Comment Filing System.

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Please contact the undersigned if there are any questions in connection with this matter.

Respectfully submitted,

/s/ Edwin N. Lavergne
Counsel to the Catholic Television Network

cc: Barry Ohlson
Sam Feder
Paul Margie

Attachment

CATHOLIC TELEVISION NETWORK
Meetings at FCC on April 11, 2003 Concerning WT Docket No. 03-66

PURPOSE: We are here to introduce members of CTN, emphasize the importance of ITFS and spectrum leasing, and make you aware of CTN's key objectives in this important rulemaking proceeding.

1. About The Catholic Television Network ("CTN")

- Members of CTN operate many of the largest parochial school systems in the United States. Members of CTN use ITFS channels to provide educational services to over 600,000 students and 4,000,000 households in America.

2. Why ITFS Is Important To CTN

- ITFS spectrum provides the least expensive and most flexible way to offer large group instruction, interactive learning, video-on-demand, high speed internet access and other services. Educational uses of the spectrum go far beyond traditional one-way video applications.
- ITFS has become an integral part of our educational curriculum.

3. Spectrum Leasing Offers Significant Benefits

- Revenues generated through spectrum leasing enable the delivery of high-quality services at a reasonable cost.
- The amount of spectrum *reserved* by an ITFS licensee cannot be equated with how much spectrum is actually *used* by the licensee to further its educational mission.
- In a two-way fixed broadband or mobile environment, the creation of shared networks through leasing may result in the most efficient and flexible use of the spectrum for both educational and commercial purposes.

4. CTN's Objectives

- The jointly submitted white paper was the result of months of study, intense negotiation, and compromise among the major ITFS/MMDS stakeholders.
- The proposals in the white paper would make available huge new blocks of spectrum for mobile and fixed wireless services.
- In accomplishing the goals set forth in the white paper, CTN wants to ensure that ITFS spectrum continues to be *used* for educational purposes. This is the only spectrum in the nation set aside for educational use.
- CTN wants to preserve the educational *reservation* of the twenty ITFS channels in the 2.5 GHz band.