

April 15, 2003

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

Re: *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 --  
**NOTICE OF EX PARTE PRESENTATION**

Dear Ms. Dortch:

On April 14, 2003, the undersigned, counsel to the Wireless Communications Association International, Inc. ("WCA"), met with Catherine W. Seidel, Shellie N. Blakeney, D'Wana R. Terry, Ramona Melson and John Schauble of the Wireless Telecommunications Bureau regarding WCA's petition for reconsideration of the Commission's decision to freeze the filing of applications for new or modified MDS and ITFS facilities pending the completion of this proceeding.

WCA emphasized the adverse impact that the freeze and the resulting inability to deploy new broadband services will have on licensees, system operators, equipment vendors and the public. In connection with that discuss, WCA distributed the text of an email from a rural broadband service provider that illustrates the consequences of the freeze. A copy of that text is attached. In addition, the participants in the meeting discussed possible adverse consequences of lifting the freeze and steps the Commission can take to minimize those consequences. In particular, WCA emphasized that the Commission can and should warn those filing at this time that, even if the Commission chooses to grandfather under the new rules some or all of the facilities applied for before the release of the *Notice of Proposed Rulemaking*, the Commission may choose not to grandfather facilities applied for after that release date.

Marlene H. Dortch  
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Should you have any questions regarding this notice, please contact the undersigned.

Respectfully submitted,

/s/ Paul J. Sinderbrand

Paul J. Sinderbrand

Attachment

cc: Catherine W. Seidel  
Shellie N. Blakeney  
D'Wana R. Terry  
Ramona Melson  
John Schauble

**Sinderbrand, Paul**

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**From:** Roxanne White  
**Sent:** Tuesday, April 08, 2003 6:20 PM  
**To:** Sinderbrand, Paul  
**Cc:** risteb@nextnetwireless.com  
**Subject:** Re: WCA MDS ITFS Rules Change

Paul,

We have been operating in the MMDS licenses since 1989. Over the years we have had to manage our way thru the licensing and applications with expense to our business to pursue our business plan of developing our licenses and serving rural Northwest Iowa. We currently have several deployments scheduled for rural areas that have no broadband deployment.

One of the areas in question is in cooperation with the city who has been trying to attract a broadband deployment to their city of 223 households. We were their first ray of hope in bringing a solution to their area under the RUS grant program. This would be a booster site off one of our PSA's.

Another area is a small rural community of 306 households that is also a booster site. The equipment is in place and we are in the final stages of licensing.

We have six more projects of this nature planned for 2003 and have given our vendor our projections for equipment. The message we are telling our rural citizens is that broadband deployment for everyone is not a top priority of our government. The sites we are working with we would be offering free high speed internet to the school systems because they have no other choice. We bring their school and students information that is needed to keep up with their larger urban counterparts. We as a business developed a business plan to use our licenses and to serve our communities within that footprint. The saying that the pen is mightier than the sword is true when a company's business plan and the vendor's that depend on them are changed overnight.

Thanks,

Roxanne White, General Manager

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