



1201 Pennsylvania Avenue, N.W.  
P.O. Box 407  
Washington, DC 20044-0407

Office: +1.202.626.6600  
Fax: +1.202.626.6780

**Direct Dial: +1.202.626.6265**  
**majohnson@ssd.com**

June 11, 2003

**FILED ELECTRONICALLY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Room TW-A325  
Washington, DC 20554

**Re: Ex Parte Notice in WT Docket No. 01-90 and ET Docket No. 98-95: Amendment of the Commission's Rules Regarding Short-Range Communication Services in the 5.850-5.925 GHz Band (5.9 GHz Band)**

Dear Secretary Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, notice is hereby given in WT Docket No. 01-90 and ET Docket No. 98-95 regarding an *ex parte* meeting between representatives of the Intelligent Transportation Society of America ("ITS America") and the Wireless Telecommunications Bureau's Public Safety and Private Wireless Division. The meeting took place on June 10, 2003 in the Commission's offices.

Attending on behalf of ITS America were Paul Najarian, Director of Telecommunications, and Robert B. Kelly and Mark D. Johnson of Squire, Sanders & Dempsey L.L.P., counsel to ITS America. Representing the Public Safety and Private Wireless Division were D'Wana Terry, Division Chief; Herb Zeiler, Deputy Division Chief (Technical); Jeanne Kowalski, Deputy Division Chief (Public Safety); Peter Daronco, Deputy Chief, Policy and Rules Branch; Nancy Zaczek, an Attorney-Advisor in the Policy and Rules Branch, and Gerardo Mejia, an Electronics Engineer for the Division.

The attendees discussed the public record before the Commission regarding the pending Notice of Proposed Rulemaking (FCC 02-302) in the dockets listed above and a possible schedule for the release of a Commission Report and Order adopting licensing and service rules for Dedicated Short Range Communications ("DSRC") for Intelligent Transportation Systems ("ITS") services in the 5.9 GHz Band. Based on the comments and reply comments submitted to the Commission, the attendees reviewed proposed licensing options, potential interference concerns, the development and deployment of DSRC

devices and services, and suggestions for additional technical studies. Also discussed was the status of the proposed ASTM DSRC radio transmission standard proposed for all DSRC operations in the 5.9 GHz Band.

The ITS America representatives noted further that industry-to-industry discussions have been initiated between the ITS industry and the Fixed Satellite Services (“FSS”) industry regarding potential coordination and interference issues related to DSRC and FSS operations in the 5.9 GHz Band and FSS operations in the C Band.

The attendees also discussed recent international developments regarding DSRC coordination efforts among Canada, Mexico and the United States at border crossings and DSRC spectrum coordination more generally among countries.

Please do not hesitate to contact me if there are any questions regarding this submission. As indicated below, copies of this notice will be distributed via email to the representatives of the Public Safety and Wireless Division who were in attendance.

Sincerely,

**SQUIRE, SANDERS & DEMPSEY L.L.P.**

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Mark D. Johnson

CC: D’Wana Terry  
Herb Zeiler  
Jeanne Kowalski  
Peter Daronco  
Nancy Zaczek  
Gerardo Mejia