



August 1, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals, TW-A325
445 Twelfth Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Presentation
WT Docket No. 02-55

Dear Ms. Dortch:

On Thursday, July 31, 2003, Ken Keane and I, counsel for NAM/MRFAC, Inc., met with Sam Feder, Legal Advisor to Commissioner Kevin Martin, concerning the Commission's above-referenced rule making proceeding. During the meeting we showed Mr. Feder a copy of the written ex parte presentation that NAM/MRFAC filed with the Commission that day. A copy of that filing also is submitted with this letter. We noted that the Commission's record in this proceeding has evolved over time, and that recent developments, most notably Motorola's filings discussing potential technological fixes to interference problems, underscore that before undertaking radical measures such as re-banding, the Commission should first try an incremental approach that will be far less costly and minimize disruption to affected parties.

We also discussed the circumstances which gave rise to Nextel's July 28, 2003, ex parte meeting with Mr. Feder and Nextel's July 29, 2003, written notice of that meeting. In that regard, we noted that Nextel's ex parte presentation focused on MRFAC Board members, but did not address the overall membership of either the NAM or MRFAC. In addition, we noted that there would be costs beyond simply retuning under the Nextel Coalition's proposal, including post-re-banding upgrades that may be necessary to obtain interference protection rights, and the disruption and transition costs to manufacturers.

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this letter is being filed with the Commission electronically for inclusion in the public record of this proceeding.

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Sincerely,

/s/ Mark Van Bergh
Mark Van Bergh
Counsel for NAM/MRFAC, Inc.

cc: Sam Feder (by e-mail)