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MCDERMOTT, WILL & EMERY

September 26, 2003

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Notice of *Ex Parte* Meeting: (1) Improving Public Safety Communications in the 800 MHz Band, WT Docket No. 02-55; (2) Service Rules for Advanced Wireless Services in the 1.7 and 2.1 GHz Bands, WT Docket No. 02-353

Dear Ms. Dortch:

This is to notify you that on September 25, 2003, Michael Rosenthal, John Logan, and Alan McIntyre of Southern Communications Services, Inc., d/b/a/ Southern LINC, and Jeffrey Sheldon of McDermott, Will & Emery, counsel to Southern, met with Sam Feder, of Commissioner Martin's office, to discuss Southern's position on the issues in the above-referenced proceedings. Specifically, Southern reiterated the positions advanced in its earlier-filed comments and reply comments in the 800 MHz Public Safety Interference docket by expressing its continuing support for the "Balanced Approach" as the most effective method for resolving interference with the least cost and disruption to existing users of the 800 MHz band. Southern noted that realignment of the 800 MHz band as proposed by Nextel would create regulatory and competitive disparities unless Southern were assured, at a minimum, of receiving contiguous spectrum as described in Southern's "Supplemental Comments," filed February 10, 2003. Finally, using recent information filed by the City and County of Denver, Southern noted that rebanding of the 800 MHz band will not eliminate the potential for intermodulation interference to Denver's Public Safety channels in the "interleaved" portion of the band at 854-861 MHz. Southern indicated it would file additional written information on this in the very near future.

With respect to the Advanced Wireless Services proceeding, Southern recommended that licensing areas and auctioning rules be designed such that there are two separate auctions, with the first auction consisting of large geographic area licenses suitable for nationwide or large regional coverage, and the second consisting of licenses for smaller geographic areas such as Metropolitan Statistical Areas (MSAs) and Rural Service Areas (RSAs). Southern explained that because larger carriers tend to drive the equipment market in auctioned spectrum bands, having

sufficient time between auctions of larger and smaller license areas would greatly benefit smaller carriers by allowing them to take into account the potential for economies of scale in equipment availability. Sequencing of auctions in this manner would give regional and smaller carriers an opportunity to better formulate their business plans and bidding strategies, thereby encouraging greater participation in the auction for the smaller geographic area licenses.

In accordance with the Commission's rules, a copy of this *ex parte* notice is being filed electronically for inclusion in the records of each of the above-referenced proceedings.

Very truly yours,

/s/ Jeffrey L. Sheldon

Jeffrey L. Sheldon

cc: Sam Feder