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December 10, 2003

**FILED ELECTRONICALLY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

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

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Dear Secretary Dortch:

Pursuant to Section 1.1206(b) of the Commission's Rules, 47 CFR § 1.1206(b), notice is hereby provided in the above-referenced dockets regarding an *ex parte* presentation made to representatives of the Satellite Division of the International Bureau, the Wireless Telecommunications Bureau and the Office of Engineering and Technology by representatives of the Intelligent Transportation Society of America ("ITS America") and others on December 9, 2003. Attending on behalf of ITS America were Paul Najarian, Director of Telecommunications and Standards, and Robert Kelly and Mark Johnson of Squire, Sanders & Dempsey L.L.P., counsel to ITS America. Also in attendance was C. Gary Stephens, Program Director, Digital Systems Engineering, with ARINC, Inc.

Attending on behalf of the Satellite Division of the International Bureau were Tom Tycz and Robert Nelson. Also in attendance were Michael Pollak and Gerardo Mejia of the Wireless Telecommunications Bureau and Tom Derenge of the Office of Engineering and Technology.

The attendees discussed three issues currently before the Commission in these proceedings: the adoption of a standard<sup>1</sup> by the Commission, licensing methodology and spectrum sharing and coordination. ITS America noted that discussions between ITS America and the Satellite Industry Association are on-going regarding potential coordination and interference issues related to DSRC and FSS operations in the 5.9 GHz Band and adjacent C Band. Technical studies jointly sponsored by the industry groups are also not yet completed.

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<sup>1</sup> ASTM E 2213-03, Standard Specification for Telecommunications and Information Exchange Between Roadside and Vehicle Systems – 5 GHz Band Dedicated Short Range Communications (DSRC) Medium Access Control (MAC) and Physical Layer (PHY).

Please do not hesitate to contact me if there are any questions regarding this submission. A copy of this notice will also be provided to the named Commission staff via email.

Sincerely,

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Mark D. Johnson

cc: Tom Tycz  
Robert Nelson  
Michael Pollak  
Gerardo Mejia  
Tom Derenge