



QUALCOMM Incorporated

2001 Pennsylvania Ave., NW □ Suite 650 □ Washington, DC 20006 □ Tel: 202.263.0020
www.qualcomm.com

December 10, 2003

Via ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

**Re: Notice of Oral Ex Parte Presentation
IB Docket No. 00-248**

Dear Ms. Dortch:

This is to report that on Tuesday, December 9, 2003, Dr. Leonard Schiff and I of QUALCOMM Incorporated (“QUALCOMM”), and Jan King and Leslie Taylor, consultants to QUALCOMM, met with Thomas Tycz, Steven Spaeth, John Martin and William Howden of the International Bureau concerning the proposals made by QUALCOMM within the above-referenced docket. During this meeting, QUALCOMM discussed its proposal that the Commission adopt a statistical approach for regulating adjacent satellite interference in the Ka-band that would recognize the variations in aggregate uplink power density resulting from multiple users, differing data rates, and other factors inherent in broadband transmissions.

QUALCOMM reiterated its proposal that a statistically-based uplink EIRP density rule in the Ka-band should not be a rule for 100 percent of the time as such a rule would unduly constrain the use of new technologies that could provide satellite broadband connectivity, particularly to low-population density regions. QUALCOMM reviewed its proposed rule that the current uplink EIRP density limit in the Ka-band should be for 99 percent of the time, or such other time period as determined by the Commission. QUALCOMM stated its receptivity to either a one-step rule, e.g., a value for a specified percentage of time – such as 99% -- or in a series of steps, such as one value for 99 % of the time, a second value for 99.9% of the time, and possibly a third for 99.99% if the time. QUALCOMM further reiterated its proposal that the rule contain a provision that a Ka-band system could not exceed the Commission’s upper limit for a period in excess of a given length of time per incident, and that this should sufficiently protect adjacent satellite transmissions. QUALCOMM also stated its willingness to consider a shorter time period for the duration of such exceedences.

Moreover, QUALCOMM also referenced its ex parte filings of November 19 and 21, 2003 in this proceeding in which QUALCOMM provided an analysis of the impact of operation according to the QUALCOMM-proposed rule into a KA-band system with parameters such as those of the planned Spaceway system. In this analysis, QUALCOMM

demonstrated that operations in accordance with its proposed rule would not result in greater interference into an adjacent satellite than operation in accordance with the existing Rule 25.138(a)(1).

With regard to Spacenet's proposal within this proceeding, to revise the uplink EIRP density limits, QUALCOMM stated that it had reviewed this proposal, but that it was focused on accommodating a single technology, e.g., slotted Aloha, and was limited to the Ku-band. Nevertheless, QUALCOMM stated it would review the rule proposed to accommodate Aloha techniques to determine if an analogous rule for uplink eirp density limits in the KA-band could be fashioned to accommodate other technologies, such as CDMA-based systems, which would enable the deployment of such systems to provide high capacity, spectrally efficient broadband service in accordance with the Commission's objectives to ensure the deployment of such service to areas of low population density.

I am filing this letter electronically via the Commission's ECFS system.

Sincerely yours,

/s/ Dean R. Brenner

Dean R. Brenner
Senior Director, Government Affairs
Attorney for QUALCOMM Incorporated

Cc: Thomas Tycz
Steven Spaeth
William Howden
John Martin