

Filed Electronically VIA ECFS

April 16, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services To Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems - ET Docket No. 00-258*

NOTICE OF ORAL EX PARTE COMMUNICATION

Dear Ms. Dortch:

Yesterday, Karen B. Possner of BellSouth Corp., Luisa Lancetti of Sprint Corp. and the undersigned, representing the Wireless Communications Association International, Inc. ("WCA"), met separately with Paul Margie of Commissioner Copps' office and with Barry Ohlson and Ann Perkins of Commissioner Adelstein's office to discuss the letter they submitted on April 7, 2004 suggesting a new alternative for resolving the issues pending in the *Third Notice of Proposed Rulemaking* in ET Docket No. 00-258 regarding the relocation of Multipoint Distribution Service ("MDS") licensees from the 2150-2162 MHz band to free spectrum for Advanced Wireless Services ("AWS").

During the course of those meetings, the industry participants discussed that it has been more than tree years since the MDS spectrum at 2150-2162 MHz was first targeted for relocation, spoke of the adverse consequences the resulting regulatory cloud continues to have on the use of the band, reiterated that the MDS industry never sought to relocate from the 2150-2162 MHz band, illustrated the adverse impact that would befall the E Block AWS licensee if MDS is not relocated, and reviewed the efforts that the MDS industry has made over the past three years to identify relocation spectrum. They urged the Commission to move rapidly to consider relocation of MDS consistent with the April 7th letter from BellSouth, Sprint and WCA.

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Should you have any questions regarding this presentation, please contact the undersigned.

Respectfully submitted,

/s/ Paul J. Sinderbrand

Paul J. Sinderbrand

cc: Paul Margie
Barry Ohlson