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MCDERMOTT, WILL & EMERY

April 30, 2004

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

**Re: Notice of *Ex Parte* Presentation; Improving Public Safety
Communications in the 800 MHz Band, WT Docket No. 02-55**

Dear Ms. Dortch:

This is to notify you that on April 29, 2004, Jeffrey Sheldon, counsel to Entergy Corporation, Cinergy Corp. and Consumers Energy, spoke by telephone with David Furth, of the Wireless Telecommunications Bureau, about the above-referenced proceeding. We discussed these utilities' concerns with the Consensus Parties' request that the Commission prohibit "cellularized" systems below 861 MHz and the detrimental impact such prohibitions would have on utilities' ability to deploy new and more efficient communications technologies.

In accordance with the Commission's rules, one copy of this *ex parte* notice is being filed electronically for inclusion in the record of the above-referenced proceeding.

Very truly yours,

/s/ Jeffrey L. Sheldon

Jeffrey L. Sheldon

cc: David Furth