



APCO International

ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS INTERNATIONAL, INC.

Robert M. Gursr
(202) 833-3800
gurssr@apco911.org

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APCO INTERNATIONAL
HEADQUARTERS
351 N Williamson Boulevard
Daytona Beach, FL 32114-1112
888-APCO911 OR 904-322-2500
www.apco911.org

OFFICE OF GOVERNMENT
AFFAIRS
1725 DeSales St NW, Suite 808
Washington, DC 20036
202-833-2700

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

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RE: WT Docket 02-55, Ex Parte Communication

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Suffolk County Police
Communications Bureau
30 Yaphank Avenue
Yaphank, NY 11980
631-852-6431
pres-elect@apco911.org

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Mid America Regional Council
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300 Rivergate Center
Kansas City, MO 64105-1554
1-816-474-4240
first-vp@apco911.org

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Director Allina Health Systems
167 Grand Avenue
St. Paul, MN 55102
(651)228-8405
second-vp@apco911.org

INTERNATIONAL VICE
PRESIDENT
Kenneth Mott
BAPCO
PO Box 374
Lincoln LN1 1FY
United Kingdom
+44 1522 575542
ceo@bapco.uk.org

Dear Ms. Dortch:

This is to inform the Commission that representatives of the Association of Public-Safety Communications Officials-International, Inc. (APCO), International Association of Chiefs of Police (IACP), International Association of Fire Chiefs (IAFC), National Sheriffs Association (NSA), Major Cities Chiefs Association (MCCA), and Major County Sheriffs Association (MCSA) (collectively "Public Safety Associations") spoke yesterday by telephone with Chairman Michael Powell and reiterated their views on the matters at issue in this proceeding, consistent with their letter to Chairman Powell, dated May 17, 2004, and prior submissions to the Commission.

The Public Safety Associations emphasized that their focus is on initiating a comprehensive solution to the 800 MHz interference problem as quickly as possible, and that they have no direct interest in the replacement spectrum to be provided to Nextel. However, they reiterated their support for the Consensus Plan, and expressed grave concern that Commission selection of replacement spectrum at 2.1 GHz would leave public safety without a solution to the interference problem, as Nextel has made clear that it will not proceed with the 800 MHz realignment under those circumstances. The Public Safety Associations noted that, in contrast, Nextel has indicated that it will fund and initiate the 800 MHz realignment process immediately upon Commission adoption of an order that provides replacement spectrum at 1.9 GHz, despite anticipated litigation by those attempting to overturn the decision. Finally, the Public Safety Associations urged the Chairman to move quickly to adopt a final order.

Please contact the undersigned should the Commission require any additional information regarding this manner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Gurss', written over the typed name.

Robert M. Gurss
Director of Legal and Government Affairs

cc: Sheryl Wilkerson, Esq.