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VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Re: **EX PARTE SUBMISSION**

WT Docket No. 03-66; Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands

Dear Ms. Dortch:

Yesterday, Todd Gray, counsel to the National ITFS Association ("NIA") and Edwin N. Lavergne, counsel to the Catholic Television Network ("CTN"), met with John Muleta, Catherine Seidel, Uzoma C. Onyeije, and John Schauble of the Wireless Telecommunications Bureau regarding the above-referenced proceeding. We discussed possible alternatives to the ITFS/MMDS band plan under consideration by the Bureau and expressed concerns with any changes to the band plan that would result in a reduction in the total amount of spectrum allocated to ITFS. We also discussed NIA's and CTN's opposition to changing the Commission's ITFS eligibility rules. We suggested that to the extent there are concerns that the rules inhibit a robust secondary market, those concerns would be better addressed in the future, after sufficient time has passed to allow a new band plan, new technical rules, and new secondary market policies to work for the benefit of both education and the commercial marketplace. Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this letter is being filed electronically.

Respectfully submitted,

/s/ Edwin N. Lavergne

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Network

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