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June 2, 2004

BY ELECTRONIC FILING

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

Re: WT Docket No. 02-55  
*Ex Parte Presentation*

Dear Ms. Dortch:

On Tuesday, June 1, 2004, I spoke by telephone with Linda Kinney, Deputy General Counsel, regarding the Commission's above-captioned rulemaking on public safety communications in the 800 MHz band. I noted that in its May 27 *ex parte* filing, Verizon Wireless ("Verizon") did not state unequivocally that it would not challenge an FCC decision essentially adopting the CTIA proposal. I also reiterated that FCC's legal authority to adopt the Consensus Plan is supported by both FCC as well as judicial precedent. My presentation was otherwise consistent with Nextel's prior written submissions in this proceeding.

Pursuant to section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this letter is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Sincerely,

/s/ A. Richard Metzger, Jr.  
A. Richard Metzger, Jr.

cc: Linda Kinney