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June 8, 2004

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

Re: Amendment of Parts 1, 21, 73, 74 and 101 of the  
Commission's Rules to Facilitate the Provision of  
Fixed and Mobile Broadband Access, Education  
and other Advanced Services in the 2150-2162 and  
2500-2690 MHz Bands, WT Docket No. 03-66  
**Notice of Ex Parte Presentation**

Dear Ms. Dortch:

Clearwire Corporation ("Clearwire") is making this filing in response to a request from Commissioner Martin's office to clarify the technical issues raised in the June 3, 2004 filing by Nextel Corporation.

As Nextel and Clearwire have each filed, FDD and TDD systems can coexist in the same spectrum but some mitigation techniques are required. There are two options for the co-existence of TDD and FDD in the same spectrum. The first would compel TDD providers to deploy a \$50 to \$75 filter on each unit of customer premises equipment ("CPE") that it deploys (more than the price of a competing DSL modem) to protect FDD. These expensive filters would have to be integrated into the TDD providers CPE even on the possibility that FDD providers may at sometime in the future be adjacent.. All of this cost of protection would be imposed on the TDD providers, contrary to the Commission's stated position of technological neutrality. In addition, these high-cost filters would be required even where FDD is ultimately not deployed in the band. If a TDD provider deploys without the filters, and an FDD provider deploys in the future, the TDD provider would be subject to increased costs including replacing existing base stations and CPE with the attendant disruption to potentially hundreds of thousands of customers.

The second option would involve a more equitable approach that shares the burden of resolving potential interference between coexisting FDD and TDD systems only where and when interference issue actually exist This mechanism would entail the FDD and TDD providers creating a sufficient guardband between the systems. This guardband would require a spectrum contribution from each party. For example each parties' contribution could be proportionate to each party's holdings in the band. (i.e., if the FDD provider was licensed for a single channel and the TDD provider was licensed for 4 channels, the TDD provider would contributed spectrum equivalent to 80% of the

mutually agreed guardband, while the FDD provider would contribute spectrum equivalent to 20%.)

The second option that utilizes the current PCS spectral mask ensures that nascent wireless entrants to the broadband market can enjoy the benefits of scale economies of equipment and provide lower cost CPE to their customers. These lower cost CPE will promote competition to the entrenched broadband duopoly.

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this presentation is being filed electronically. Should any questions arise concerning this matter, kindly contact the undersigned.

Sincerely,

/s/ R. Gerard Salemmme

R. Gerard Salemmme

cc: Sam Feder  
Jennifer Manner  
Paul Margie  
John Muleta  
Barry Ohlson  
Kathy Seidel  
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