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**Notice of Oral *Ex Parte* Presentation**

June 9, 2004

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: In the Matter of 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 2500-2590 MHz bands, WT Docket No. 03-66 RM-10586;

Part 1 of the Commission's Rules – Further Competitive Bidding Procedures, WT Docket No. 03-67;

Amendment of Parts 21 and 74 to Enable Multipoint Distribution Service and the Instructional Television Fixed service Amendment of Parts 21 and 74 to Engage in Fixed Two-way Transmissions, MM Docket No. 97-217;

Amendment of Parts 21 and 74 of the Commission's Rules with Regard to Licensing in the Multipoint Distribution Service and in the Instructional Television Fixed service for the Gulf of Mexico, WT Docket No. 02-68 RM-9718

Dear Ms. Dortch,

On Wednesday, June 2, 2004, on behalf of the Information Technology Industry Council (ITI), Peter Pitsch (Intel), Mary Brown (Cisco), John Godfrey (Sony), Paula Boyd (Microsoft) and Nick Kolovos (ITI) met with Stacey Robinson Fuller, legal advisor to Commissioner Kathleen Abernathy, to discuss issues raised in the above referenced proceedings. We discussed the potential benefits of advanced wireless services in the 2.5 –2.7 GHz band, ITI's support for the plan put forth by the industry coalition for reform of the current band plan, and its support for establishing a date certain for the transition.

Additionally, we discussed ITI's support for the concept of open eligibility for licensees and the opportunity for ITFS licensees to sell their licenses to commercial interests. While ITFS licensees may not be required to sell, ITI believes that providing the option to sell, instead of operating under the current

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leasing structure, will lead to a dramatic improvement in the use of this spectrum. Further, under the coalition plan ITFS licensees could still operate 1-way video systems for educational purposes in the mid-band area set aside for such purposes. These improvements will greatly benefit consumers in that advanced wireless broadband services could reach rural and other underserved areas and lead to facilities-based competition.

Pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. §1.1206, a copy of this submission is being provided to the above referenced people. Please contact me with any questions associated with this filing.

Respectfully Submitted,

/s/ Nick G. Kolovos

cc: Stacey Robinson Fuller