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August 26, 2004

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

### Re: **Ex Part Notice**

Amendment of Part 22 of the Commission's Rules to Benefit the  
Consumers of Air-Ground Telecommunications Services  
WT Docket No. 03-103

Dear Ms. Dortch:

On August 25, 2004, Gerald M. Knobloch and Eric Frische of Space Data Corporation ("Space Data"), and Jennifer L. Kostyu and the undersigned of Morrison & Foerster LLP, on behalf of Space Data, participated in a telephone conference with Roger Noel, Richard Arsenault, Thomas Derenge, and Jay Jackson of the Wireless Telecommunications Bureau, Mobility Division, and Julius Knapp and Jim Schlichting of the Office of Engineering and Technology to discuss the above-referenced proceeding.

The parties discussed various licensing proposals concerning the spectrum band that is currently allocated for air-to-ground ("ATG") services, including: (1) two exclusive licenses (one 2.5 MHz license and one 1.5 MHz license); (2) two overlapping 2.5 MHz licenses; and (3) four overlapping 2.5 MHz licenses. The Commission staff sought additional information from Space Data regarding: (1) each of the licensing proposals; (2) the types of services and technologies that can be deployed using a 1.5 MHz license; (3) the effect of each licensing scheme on data rates aboard aircraft; and (4) the feasibility of spectrum sharing in the ATG band.

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Pursuant to Section 1.1206(b) of the Commission's rules, an electronic copy of this letter is being filed with the office of the Secretary. If you have any questions regarding this notification, please contact the undersigned.

Very truly yours,

/s/ Cheryl A. Tritt

Cheryl A. Tritt  
*Counsel to Space Data Corporation*

cc: Roger Noel  
Richard Arsenault  
Thomas Derenge  
Jay Jackson  
Julius Knapp  
Jim Schlichting