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October 14, 2004

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Electronic Filing

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

Re: Ex Parte 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 October 13, 2004, Eric Frische, Chief Technical Officer 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 group discussion with members of the Office of the Bureau Chief of the Wireless Telecommunications Bureau ("WTB"), the Mobility Division of the WTB, and the Office of Engineering and Technology and representatives from AirCell, Inc., The Boeing Company, Verizon Airfone, and Nextel Communications regarding the above-referenced proceeding. A complete list of attendees is attached.

The parties discussed various licensing proposals for the spectrum band currently allocated for air-to-ground ("ATG") services and attendant technical and policy issues. Space Data's representatives explained how high altitude stratospheric platforms are ideally suited for providing air-to-ground ("ATG") services. Space Data also explained why the FCC staff's proposal to assign two exclusive licenses (a 2.5 MHz license and a 1.5 MHz license), rather than overlapping licenses, would best serve the public interest and the development of the ATG market. Space Data presented an alternative licensing proposal that would allow the market to decide through a combinatorial bidding auction whether an exclusive or shared licensing scheme provides

MORRISON & FOERSTER LLP

Marlene H. Dortch
October 14, 2004
Page Two

the highest and best use of the ATG spectrum. Space Data also relied upon the arguments set forth in the attached PowerPoint presentation during the meeting.¹

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

Attachments

cc: FCC staff identified in attachment

¹ Space Data assumes that copies of any presentations distributed by other parties at the meeting will be placed into the record by those parties.

MORRISON & FOERSTER LLP

Marlene H. Dortch
October 14, 2004
Page Three

ATTENDEES

<u>Name</u>	<u>Organization</u>
Peter Tenhula	WTB – Office of the Bureau Chief
David Furth	WTB – Office of the Bureau Chief
Gregory Vadas	WTB – Office of the Bureau Chief
Roger Noel	WTB – Mobility Division
Kathy Harris	WTB – Mobility Division
Richard Arsenault	WTB – Mobility Division
Thomas Derenge	WTB – Mobility Division
Jay Jackson	WTB – Mobility Division
Guy Benson	WTB – Mobility Division
Ed Thomas	Office of Engineering and Technology
Julius Knapp	Office of Engineering and Technology
Jim Schlichting	Office of Engineering and Technology
Ron Chase	Office of Engineering and Technology
Ira Keltz	Office of Engineering and Technology
Ahmed Lahjouji	Office of Engineering and Technology
Salomon Satche	Office of Engineering and Technology
George Sharp	Office of Engineering and Technology
Jack Blumenstein	AirCell, Inc.
Anand K. Chari	AirCell, Inc.
Michele Farquhar	Hogan & Hartson, LLP (for AirCell, Inc.)
Edward Laase	The Boeing Company
Carlos Nalda	The Boeing Company
Howard Symons	Mintz Levin Cohen Ferris Glovsky & Popeo (for Boeing)
Eric Frische	Space Data Corporation
Cheryl A. Tritt	Morrison & Foerster LLP (for Space Data)
Jennifer L. Kostyu	Morrison & Foerster LLP (for Space Data)
Donald Brittingham	Verizon Airfone
Robert Combs	Verizon Airfone
Jay Padgett	Telcordia Technologies (for Verizon Airfone)
Trey Hanbury	Nextel Communications
Michael Ha	Nextel Communications