

ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

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October 15, 2004

Via Courier

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

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OCT 15 2004

Federal Communications Commission
Office of Secretary

**Re: EX PARTE SUBMISSION
WT Docket 03-66; 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 2500-2690 GHz Bands**

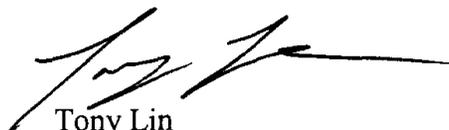
Dear Ms. Dortch:

On October 8, 2004, Bradley Holmes, a consultant for NY3G Partnership ("NY3G"), met with John Muleta regarding the above-referenced proceeding.

The parties talked about NY3G's current efforts to provide wireless broadband service to the New York City area, the proposals in the Commission's *Further Notice of Proposed Rulemaking*, and NY3G's ongoing negotiations with Trans Video Communications, Inc. ("TVC"), the grandfathered ITFS licensee in New York City. The parties also discussed the proposals and issues that NY3G had previously raised in this proceeding, including the assignment of low-power channels to MMDS licensees and high-power channels to grandfathered ITFS licensees and TVC's inefficient use of spectrum.

Please direct any questions regarding this matter to the undersigned.

Very truly yours,



Tony Lin
Counsel for NY3G Partnership

cc: John Muleta

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