

# ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

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# ORIGINAL

## EX PARTE OR LATE FILED

October 15, 2004

*Via Courier*

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

## RECEIVED

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**

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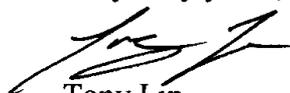
Dear Ms. Dortch:

On October 13, 2004, Bradley Holmes, a consultant, and Bruce Jacobs of Shaw Pittman LLP, counsel for NY3G Partnership ("NY3G"), met with Scott Delacourt, David Furth, and Uzoma Onyeije 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: Scott Delacourt  
David Furth  
Uzoma Onyeije

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