LAWLER, METZGER & MILKMAN, LLC

2001 K STREET, NW
SUITE 802
WASHINGTON, D.C. 20006

REGINA M. KEENEY

PHONE (202) 777-7700
FACSIMILE (202) 777-7763

October 28, 2004

BY ELECTRONIC FILING

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

Re: WT Docket No. 02-55
Ex Parte Presentation

Dear Ms. Dortch:

On Wednesday, October 27, 2004, Lawrence Krevor, Vice President – Government Affairs, Nextel Communications, Inc. ("Nextel"), made an *ex parte* presentation to Michael Wilhelm of the Wireless Telecommunications Bureau regarding the above-referenced proceeding. Nextel stated in this presentation that its reliance on its 900 MHz spectrum will be important to achieving 800 MHz band realignment. Nextel noted, however, that it has experienced an increasing incidence of harmful interference to its 900 MHz operations that appears to be caused by out-of-band emissions ("OOBE") from base stations in the adjacent Cellular Radio Telephone Service at 869-894 MHz. Nextel urged the Commission to remind all parties of their obligations under the Commission's Rules to prevent and cooperatively resolve interference. In addition, Section 22.917(d) of the Commission's Rules specifically provides that the Commission has the authority to revisit and modify existing OOBE requirements for cellular operations if cellular emissions cause harmful interference to users of another radio service. The Commission therefore may, among other things, require greater attenuation of the interfering cellular transmitter emissions than currently required by Section 22.917(a).

Pursuant to section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), this letter is being filed electronically for inclusion in the public record of each of the above-referenced proceedings.

Sincerely,

/s/ Regina M. Keeney
Regina M. Keeney

Counsel to Nextel Communications, Inc.

cc: Michael Wilhelm