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March 28, 1997

VIA HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, DC 20554

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Federal Communications Commission
Office of Secretary

**Re: Ex Parte Presentations
GN Docket No. 96-228**

Dear Mr. Caton:

On Thursday, March 27, representatives of the four DARS applicants, including Peter K. Pitsch, counsel for Satellite CD Radio, Diane S. Hinson, counsel for Digital Satellite Broadcasting Corporation ("DSBC"), Leslie A. Taylor, counsel for Primosphere Limited Partnership, Stephen J. Berman, counsel for American Mobile Radio Corporation, Rob Briskman of Satellite CD Radio, Mel Barmat of DSBC, and Richard Cooperman of Primosphere Limited Partnership participated in three separate meetings with members of the Commission's staff. The first meeting was with David R. Siddall from the Office of Commissioner Ness, and the second was with Suzanne K. Toller from the Office of Commissioner Chong. The final meeting was with Peter A. Tenhula from the Office of the General Counsel.

The purpose of each of these meetings was to discuss issues raised by the Petition for Expedited Reconsideration filed by PACS Provider Forum ("PPF") and DigiVox Corporation in the above-referenced docket. In each of the meetings, representatives of the DARS applicants expressed the view that the technical analysis presented by PPF and DigiVox underestimates the level of harmful interference that would be caused to DARS operations if their proposal were adopted. They pointed out further that the out-of-band emission limits adopted in the recent WCS order represented a compromise, and that given the time constraints in this proceeding, the prudent course would be to proceed with the licensing process for both services under the current standard. With the DARS and WCS auctions upcoming in early and mid-April, respectively, the DARS representatives expressed the view that the difficult engineering issues raised by the PPF's petition cannot be equitably resolved prior to these events. These representatives argued

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further that the changes requested by PPF and DigiVox would be more appropriately sought in a waiver proceeding, and that, assuming the current standard is retained, the DARS licensees would be open to negotiations on interference issues after the licensing process.

Two copies of this Notice are being submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's Rules. Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,



Stephen J. Berman
Counsel to American Mobile Radio Corp.

cc: Diane S. Hinson
Peter K. Pitsch
Leslie A. Taylor
David R. Siddall
Suzanne K. Toller
Peter A. Tenhula