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MAR 31 1997

Federal Communications Commission  
Office of Secretary

March 31, 1997

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

Re: GN Docket No. 96-228, Notice of Ex Parte Presentation

Dear Mr. Caton:

On March 28, 1997, Peter K. Pitsch had telephone conversations with Julius Genachowski from the Office of Chairman Hundt, Rudulfo Baca from the Office of Commissioner Quello, David Siddall from the Office of Commissioner Ness, Suzanne Toller from the Office of Commissioner Chong, and John Williams from the Office of Plans and Policy regarding the petition of DigiVox and PPF for expedited reconsideration of the out-of-band emission limits adopted for the Wireless Communications Service in the above-referenced docket. During this conversation I stated that CD Radio continues to oppose any changes in the existing out-of-band limits including a compromise proposal of 93 dB. I also stated that:

- that a rushed decision of these difficult and important engineering decisions was not prudent;
- that once these limits are relaxed and the WCS auctions held, a dramatic increase in the number of affected parties could make it very much more difficult to undo a mistake; and
- that CD Radio Inc. is prepared to work in good faith and in a manner responsive to FCC concerns that all possible WCS services be accommodated, if the FCC were to create a process that examined this question with due deliberation in the future.

Respectfully submitted,

Peter K. Pitsch

cc: Julius Genachowski  
Rudolfo Baca  
David Siddall  
Suzanne Toller  
John Williams

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