

March 4, 2015

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

Re: Ex Parte Communication
WT Docket No. 14-235

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's Rules, this is to inform the Commission of an *ex parte* meeting on March 3, 2015 between Andrew Maxymillian of Engineers Frequency Advisory Committee, LLC ("EFAC") and below-signed counsel, with David Furth, Michael Wilhelm, Roberto Mussenden, Jaime Koshy, John Evanoff and Brian Marengo of the Public Safety & Homeland Security Bureau and Scot Stone of the Wireless Telecommunications Bureau.

During the meeting, EFAC discussed its comments in the above-referenced proceeding. Specifically, EFAC discussed its position that representation of a land mobile radio constituency is a multi-faceted responsibility, which must include land mobile radio policy involvement and development, as well as user education. EFAC stated its strong history in these areas, frequently performed on a pro-bono basis, while noting the continuing reduction in such activities by other entities.

EFAC reiterated its position that Congress never mandated that frequency advisory committees be non-profit trade associations, and no torturous reading of the legislative history can lead to that conclusion. Further, as noted by other proceeding participants, frequency coordination is clearly a for-profit endeavor for these groups, generating huge amounts of revenue.

EFAC pointed out that many existing coordinators have the same conflicts of interest which those same coordinators claim disqualifies EFAC. As shown by EFAC

(and others), the existing coordinators provide clearly applicant representational services such as waiver preparation (and other consultancy activities). Other conflicts include coordinators that are coordinating their own applications, as well as coordinators filing applications on behalf of applicants that are clearly detrimental to the industry as a whole (in other words, the coordinator's members).

EFAC discussed the amount of outsourcing to third parties that already occurs in frequency coordination, and the total lack of oversight by some trade associations as a result. EFAC noted instances where actual coordination was totally ignored, with applications merely being prepared by applicants and submitted without any oversight by the coordinator.

EFAC reiterated its commitment to comply with all Commission requirements for frequency advisory committees (including non-discrimination, single point of contact, involvement in post-licensing conflicts, etc.) as developed by the Commission in PR Docket No. 83-737 (and subsequent proceedings) and Land Mobile Communication Council coordination guidelines and procedures. EFAC stated its desire to continue to assist in the development of LMCC coordination guidelines and procedures, including joining LMCC (if permitted). Further, EFAC encouraged the Bureau to engage in an audit of the coordination process, which it last conducted more than twenty (20) years ago.

Pursuant to Section 1.1206 of the Commission's Rules, an electronic copy of this letter is being filed for inclusion in the above-reference docket. Should you have any questions, please contact the below-signed counsel.

Sincerely,

Alan S. Tilles, Esquire