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December 13, 1999

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
TW-A325  
445 Twelfth Street, SW  
Washington, DC 20554

Re: Ex Parte contacts in WT Docket No. 99-168, Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission's Rules

Dear Secretary Salas:

In accordance with Section 1.1206(b)(2) of the Commission's Rules, 47 C.F.R. § 1.1206(b)(2), notice is hereby given of *ex parte* meetings regarding the above-captioned proceeding. On December 10, 1999, Marc Berejka, of Microsoft Corporation ("Microsoft") met with Peter Tenhula, Senior Legal Advisor to Commissioner Powell and Adam Krinsky, Legal Advisor to Commissioner Tristani, via telephone.

In this teleconference, Microsoft made the following points: (1) 36 MHz of the 746-764 and 776-794 MHz spectrum should be allocated for commercial use; (2) public safety users public safety can be protected by engineering solutions, license conditions and other solutions, rather than restrictions on bidder eligibility for guardbands; and (3) if guardbands are set aside to protect public safety users, bidder eligibility for these guardbands should not be restricted.

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Ms. Magalie Roman Salas  
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The original and one copy, as well as a diskette containing a soft copy of this letter in Microsoft Word 6.0 are being filed with the Commission for inclusion in the record of the above-referenced docket. If you have any questions or concerns please do not hesitate to contact my legal assistant, Suzanne Takata, at (202) 857-2550.

Respectfully submitted,



Kevin S. DiLallo

cc: Peter Tenhula (Office of Chairman Kennard)  
Adam Krinsky (Office of Commissioner Powell)

LTR ex parte 12-13-99-Tenhula\_HANDdel.doc

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