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May 4, 2001

RECEIVED

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FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Magalie Roman Salas
 Secretary
 Federal Communications Commission
 445 12th Street, S.W., Room TW-B204
 Washington, D.C. 20554

Re: Ex Parte Presentation - ET Docket No. 98-206; RM-9147;
 RM-9245

Dear Ms. Salas:

On May 3, 2001, Kirk Kirkpatrick, Chief Executive Officer of MDS America, Incorporated and the undersigned met with Bruce Franca, Rebecca Dorch, Tom Derenge, Michael Marcus, Julius Knapp and Jim Burtle of the Office of Engineering and Technology to discuss issues arising from the Further Notice of Proposed Rule Making in ET Docket 98-206.

The MDS America representatives described the innovative technology developed by MDS International, which is utilized in over a score of locations around the world, and for which MDS America is the North American licensee. The MDS International technology allows the delivery of high-speed wireless broadband video and data service through terrestrial transmission at frequencies including the 12.2 to 12.7 GHz band. The MDS representatives explained that through the development and continued refinement of mitigation techniques over the past 15 years, MDS has been able to develop systems to use DBS frequencies without causing harmful interference to such satellite services operating in the same geographic areas. Some of these techniques are methods recommended in the Mitre Report.

The MDS America representatives also urged the Commission staff to adopt service rules for MVDDS that do not foreclose any applicable technology and advocated the auction of MVDDS spectrum as the best method to ensure that the spectrum is put to its most efficient uses and that taxpayer interests are advanced.

An original and one copy of this letter are enclosed for inclusion in the above-referenced file. Please contact me if you have any questions.

No. of Copies rec'd 071
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Respectfully submitted,



James W. Olson
Attorney for MDS America, Incorporated

cc: Bruce Franca
Rebecca Dorch
Tom Derenge
Michael Marcus
Julius Knapp
Jim Burtle

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of May 2001 a true and correct copy of the foregoing was served via hand delivery upon the following:

Bruce Franca
Office of Engineering and Technology
Federal Communications Commission
445 12th Street, S.W. – Room 7-C161
Washington, D.C. 20554

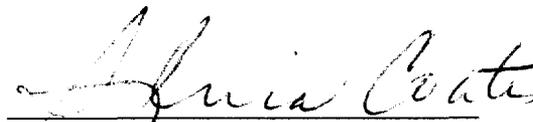
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Sylvia Coates