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ATTORNEYS AT LAW

May 10, 2001

**BY ELECTRONIC FILING**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
Washington, DC 20554

Re: ***Ex Parte Presentation***  
*Establishment of Rules and Policies for the Satellite Digital Audio Radio Service*  
*in the 2310-2360 MHz Band*  
*IB Docket No. 95-91*

Dear Ms. Salas:

On behalf of AT&T Wireless Services, Inc. ("ATTWS"), undersigned counsel spoke today with Ron Netro of the Commission's Wireless Telecommunications Bureau with regard to the above referenced proceeding. Specifically, we discussed the assertions by both Sirius and XM in this proceeding that ATTWS has designed its WCS equipment "to tune to the entire 2305-2360 MHz band, covering both the WCS and the DARS band, and has no filtering to eliminate DARS transmissions in the 2320-2345 MHz band."<sup>1</sup>

This assertion is clearly erroneous. The WCS equipment currently being deployed by ATTWS provides a two-way, facilities-based competition in the local exchange and broadband Internet access markets. In order to do so, the base station transmits and the customer unit receives in one block of WCS spectrum, while the base station receives and the customer unit transmits in a paired block of WCS spectrum. This is a standard design for two-way wireless systems. In this case, the ATTWS base station is designed to receive in the upper portion of the WCS band (2345-2360 MHz) and to transmit in the lower portion of the WCS band (2305-2320 MHz), while the customer unit does just the opposite (transmitting in 2345-2360 MHz and receiving in 2305-2320 MHz).

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<sup>1</sup> See Letter from Bruce D. Jacobs to Magalie Roman Salas, dated April 25, 2001, at p. 1; Letter from Carl R. Frank to Magalie Roman Salas, dated April 23, 2001, at p. 2 n.4.

Accordingly, the receivers on ATTWS' equipment are *not* designed to tune over the entire WCS and SDARS band, but rather only to the WCS spectrum on either side of the SDARS band – in which ATTWS is licensed to operate. ***Neither the base nor the customer unit receivers tune over any portion of the SDARS band (2320-2345 MHz).***

As ATTWS stated in its April 30, 2001 *ex parte*, the base station equipment is designed to tolerate an unwanted signal from the SDARS band that is 70 dB stronger than the level of the signal it receives from the customer unit.<sup>2</sup> The interference that high power SDARS repeaters would cause to this equipment is the result of brute force overload from unwanted signals transmitted in a nearby band at up to 20 times higher power, and not from any improper susceptibility of the equipment design.

In accordance with Commission rules, this letter is being filed electronically in the above-captioned docket.

Respectfully submitted,

/s/

William M. Wiltshire  
*Counsel for AT&T Wireless Services, Inc.*

cc: Ron Netro  
Ron Repasi  
Rockie Patterson  
Rosalee Chiara  
Chris Murphy  
Julius Knapp  
Carl Frank  
Bruce Jacobs

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<sup>2</sup> See Letter from William M. Wiltshire to Magalie Roman Salas, dated April 30, 2001, at p. 10.