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ATTORNEYS AT LAW

July 11, 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"), Doug Brandon and undersigned counsel met yesterday with Don Abelson, Ron Repasi, Cecily Holiday, and Doug Webbink of the Commission's International Bureau with regard to the above referenced proceeding. At that meeting, ATTWS discussed its concerns about potential interference from high power SDARS repeaters into its WCS networks as reflected in its filings in this proceeding.

In addition, ATTWS stressed that the interference from SDARS operations into WCS operations is not an out of band emission problem, but rather a matter of blanketing interference. In other words, although the SDARS licensees propose to operate their high power terrestrial repeaters within their own spectrum, the sheer power of those operations would necessarily create exclusion zones around the repeaters for other spectrum users, including WCS – which surrounds the SDARS band. This phenomenon is well understood by the Commission. In fact, it was precisely in order to address blanketing interference concerns that the Commission adopted a 2 kW power limitation on fixed WCS operations in order to protect the MDS/ITFS services. *See Amendment of the Commission's Rules to Establish Part 27, the Wireless Communications Service*, 12 FCC Rcd. 3977, 3979-86 (1997). Such a limitation was deemed necessary despite a stringent out of band emission limitation on WCS operations and even though MDS/ITFS spectrum is 150 MHz or more away from WCS spectrum – as compared to the 5 MHz of spectrum that separates WCS from the SDARS spectrum targeted for repeaters.

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ATTWS and the staff discussed various proposals for accommodating both services in the band. Among the potential options discussed were coordination regimes, limitations on the power of SDARS repeaters, limitations on the number of high power repeaters, and limitations on the build-out period for high power repeaters. ATTWS expressed its desire to continue to explore such options as well as the practical constraint in doing so with virtually no information on terrestrial repeater deployment from the SDARS licensees despite repeated requests.

ATTWS also argued against the proposition that WCS licensees should bear more of the costs imposed in any solution since they had paid less to acquire their spectrum at auction, pointing out that (1) generally, such a consideration is not an appropriate basis for spectrum management and (2) specifically, ATTWS had acquired its WCS licenses in the secondary market at much higher prices than had been paid at the auction. ATTWS also argued that the public interest benefits inherent in the kind of facilities-based, lifeline services it intends to offer should be an important factor in the Commission's deliberations.

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: Don Abelson
Ron Repasi
Cecily Holiday
Doug Webbink
Rockie Patterson
Rosalee Chiara
Chris Murphy
Julius Knapp
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