

August 9, 2001

Via Electronic Filing

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Re: MM Docket No. 95-31  
Ex Parte Notice

Dear Ms. Salas:

Pursuant to Section 1.1200, et seq., of the Commission's Rules, National Public Radio, Inc. ("NPR"), on behalf of the Corporation for Public Broadcasting ("CPB"), the Association of America's Public Television Stations ("APTS"), the law firm of Garvey, Schubert & Barer ("GS&B"), and the National Federation of Community Broadcasters represented by the Media Access Project ("MAP"), hereby notifies the Commission of the following ex parte presentation regarding the above-referenced proceeding.

On August 3, 2001, Kathryn Riley Dole (NPR), Gregory A. Lewis (NPR), Robert Winteringham (CPB), Andrew Cotlar (APTS), John Crigler (GS&B), and Cheryl Leanza (MAP) (collectively, "Public Broadcasting Interests") met with Jane E. Mago, General Counsel, and Joel Kaufman, Deputy Associate General Counsel and Deputy Division Chief. During the meeting, we discussed the potential implications of the recent NPR v. FCC decision for the upcoming broadcast auction and other spectrum auctions. The Public Broadcasting Interests offered their assistance in developing a process to resolve mutually exclusive applications for non-reserved spectrum involving noncommercial applicants. While continuing to support a hybrid point system to compare commercial and noncommercial applicants, the Public Broadcasting Interests described other options the group is exploring, including assessing the comparative need for commercial and noncommercial service on a case-by-case basis. We expressed our significant concern over the prospect of precluding noncommercial applicants from applying for non-reserved spectrum.

Please direct any questions regarding this matter to the undersigned at (202) 513-2050.

Sincerely,

Gregory A. Lewis  
Associate General Counsel

cc: Jane E. Mago  
Joel Kaufman