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January 16, 2002

EX PARTE OR LATE FILED

Ms. Magliae Roman Salas, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

RE: **WT Docket No. 99-168 /**  
**Notice of Oral Ex Parte Communication**

Dear Secretary Salas:

On January 15, 2002, Bradley Holmes, Randall Coleman and Leonard Kolsky representing ArrayComm, Inc. (hereinafter ArrayComm) met with James Schlichting, Deputy Chief of the Wireless Telecommunications Bureau concerning an ex parte communication submitted on November 6, 2001 by the Telecommunications Industry Association (hereinafter TIA) regarding the above entitled matter.

ArrayComm, at some earlier stage, had an interest in the spectrum under consideration in this proceeding and had filed comments as well as a Petition for Reconsideration arguing that Time Division Duplex (TDD) proponents were not being afforded equal opportunity to access the 700 MHz spectrum under consideration in this Docket. While ArrayComm's position was upheld, in part, by the Commission, ArrayComm for a variety of reasons has directed its attention to other bands.

The TIA submission is an attempt to overturn the Commission's decision, referred to above, on the grounds that commercial operations on one part of the 700 MHz band may result in harmful interference to public safety operations on an adjacent portion of the 700 MHz band.

ArrayComm pointed out the issue of interference from commercial operations to public safety operations is one of identifying out-of-band emissions rules that reflect the protection requirements of public safety operations. Such rules are not dependent on technology being

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employed for commercial operations, and thus, any indication in the TIA report that TDD technologies create new, unique or difficult interference scenarios is erroneous.

ArrayComm stated that it is unprepared at this time to comment on the more stringent OOBE protection requirements proposed by TIA for the protection of public safety.

Pursuant to Section 1.1206(b) of the Commission's Rules and Regulations, 47 CFR § 1.1206(b), two copies are attached.

Respectfully Submitted,



Leonard S. Kolsky  
Counsel for ArrayComm

cc: James Schlichting, Esq.  
Bradley Holmes  
Randall Coleman

LSK/dmg