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RECEIVED

March 29, 2002

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

William Caton, Acting Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Ex Parte Communication by MDS America, Incorporated  
ET Docket No. 98-206; RM-9147; RM-9245

Dear Mr. Caton:

MDS America, Incorporated ("MDS America"), through its undersigned counsel, writes to report an *ex parte* communication with the Commission in the above-referenced docket. On March 28, 2002, MDS America provided Monica Desai, Interim Legal Advisor to Commissioner Martin, with additional copies of three *ex parte* filings previously submitted in this docket, via facsimile. These filings were MDS America's letters dated October 18, 2001, February 19, 2002, and March 18, 2002. These letters analyzed the ORBIT Act, LOCALTV Act, and issues of mutual exclusivity concerning applications on file with the Commission that are associated with this docket. Because these letters are already part of this docket, copies are not attached to this notification. Please direct any questions concerning this letter to the undersigned.

Respectfully submitted,

Nancy K. Spooner  
Counsel for MDS America, Incorporated

cc: Kirk Kirkpatrick  
Helen Disenhaus, Esq.

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**CERTIFICATE OF SERVICE**

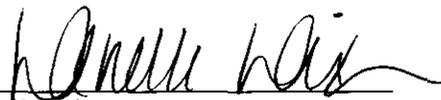
I hereby certify that on this 29<sup>th</sup> day of March, 2002, a true and correct copy of the foregoing was served via electronic filing or first class United States mail, postage prepaid, on the following individuals:

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