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DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

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GINO MENCHINI
Commissioner

AGOSTINO CANGEMI
Deputy Commissioner

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

November 4, 2002

BY HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

EX PARTE OR LATE FILED

Re: **Ex Parte Notice:**
WT Docket No. 02-55

Dear Ms. Dortch:

In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, the City of New York submits this notice of ex parte presentation. On October 29, 2002, representatives from the City of New York (collectively, the "City Participants") attended a meeting with Federal Communications Commission officials (collectively, the "Commission Participants"). The City Participants in attendance were: Judy Chesser and Elizabeth McCabe of the Federal Affairs Office; Agostino Cangemi, Steven Harte and Mitchel Ahlbaum of the Department of Information Technology and Telecommunications; and Henry Jackson of the Office of Emergency Management. The Commission Participants in attendance were David Solomon, Linda Blair, Arlan van Doom and Joe Casey of the Enforcement Bureau; Jeff Carlisle of the Wireline Competition Bureau; Dane Snowden and Kris Monteith of the Consumer and Governmental Affairs Bureau; Donald Abelson and Linda Haller of the International Bureau; Jeff Goldthorp and Kenneth Moran of the Office of Engineering and Technology; Scott Marcus and Robert Pepper of the Office of Plans and Policy; Barbara Kreisman and Deborah Klein of the Media Bureau; Kathleen O'Brien and Catherine Seidel of the Wireless Telecommunications Bureau; Jane Mago of the Office of the General Counsel; Paul Jackson and Paul Nagle of the Office of Legislative Affairs; Bill Spencer of the Office of the Managing Director; and Robin Pence of the Office of Media Relations.

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The meeting included a discussions of issues raised in the 800 MHz public safety rulemaking proceeding (“Improving Public Safety Communications in the 800 MHz Band and Consolidating 900 MHz Industrial/Land Transportation and Business Pool Channels, WT Docket No. 02-55). The City Participants stated that the City is confronting the prospect of a shortage of public safety spectrum in general, and experiencing substantial commercial interference to its public safety communications in the 800 MHz band in particular. The City Participants stated that the Commission should not adopt any proposal to realign the 800 MHz public safety spectrum absent prior identification and allocation of sufficient funds to cover the costs of government implementation, and absent a framework guaranteeing that public safety systems remain fully operational during any transition period. These statements are reflected in the Comments and Reply Comments to the “Consensus Plan” that have been filed by the City in this proceeding.

Pursuant to Section 1.1206 of the Commission’s Rules, the City of New York is filing one original and one copy of this letter with the Commission Secretary, as well as one copy with each of the Commission Participants.

Please do not hesitate to contact me with any questions concerning this meeting or this notice.

Respectfully submitted,

Agostino Cangemi
Deputy Commissioner
Franchise Administration and Planning and
General Counsel
Department of Information Technology and
Telecommunications

cc: David Solomon
Linda Blair
Arlan van Doom
Joe Casey
Jeff Carlisle
Dane Snowden
Kris Monteith
Donald Abelson
Linda Haller
Jeff Goldthorp
Kenneth Moran
Scott Marcus
Robert Pepper
Barbara Kreisinan
Deborah Klein
Kathleen O'Brien
Catherine Seidel
Jane Mago
Paul Jackson
Paul Nagle
Bill Spencer
Robin Pence