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March 13, 2003

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: Notification of Ex Parte Communication in ET Docket 98-206; RM-9147;
RM-9245; Auction of Multichannel Video Distribution and Data Service
Licenses (Auction No. 53)**

Dear Ms. Dortch:

On March 12, 2003, Antoinette Cook Bush of Northpoint Technology, Ltd. ("Northpoint") spoke separately by telephone with Jennifer Manner, Senior Counsel to Commissioner Abernathy, Paul Margie, Legal Advisor to Commissioner Copps, Sam Feder, Legal Advisor to Commissioner Martin, and Barry Ohlson, Interim Legal Advisor to Commissioner Adelstein. The purpose of the calls was to discuss technical issues regarding sharing of the 12 GHz band by MVDDS, NGSO FSS, and DBS. Ms. Bush advocated that the Commission alter its technical rules in the manner discussed in Northpoint's response to the pending petitions for reconsideration of the Second Report and Order in ET Docket 98-206. She advocated elimination of the 3-km PFD limit, the 14 dBm EIRP limit, and the 10-km required separation from NGSO FSS receivers currently in the MVDDS regulations.

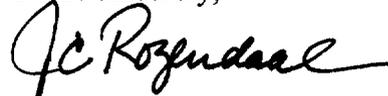
In addition, Ms. Bush urged that the Commission call for comments on the question whether Nieslen Designated Market Areas ("DMAs") should be used in place of Component Economic Areas ("CEAs") as the geographic licensing areas for MVDDS, and that the Commission should delay the scheduled auction of MVDDS licenses (Auction 53) until the Commission issues an order on the DMA issue.

Finally, Ms. Bush asked that the Commission support Northpoint's efforts to have its petition for review of the Second Report and Order considered by the D.C. Circuit on an expedited basis.

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This letter is being filed electronically. Please contact me if you have any questions.

Yours sincerely,

A handwritten signature in black ink, appearing to read "J.C. Rozendaal". The signature is fluid and cursive, with a long horizontal stroke at the end.

J.C. Rozendaal

Counsel for Northpoint Technology, Ltd.

cc (via e-mail):

Bryant Tramont, Office of the Chairman
Jennifer Manner, Office of Commissioner Abernathy
Paul Margie, Office of Commissioner Copps
Sam Feder, Office of Commissioner Martin
Barry Ohlson, Office of Commissioner Adelstein
Jennifer Burton, Wireless Telecommunications Bureau