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April 11, 2003

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

**Re: Notice of *Ex Parte* Meeting of MDS America, Incorporated
ET Docket No. 98-206; RM-9147; RM-9245**

Dear Ms. Dortch:

On April 10, 2003, Nancy Killien Spooner and Helen Disenhaus of Swidler Berlin Shereff Friedman, together with Kirk Kirkpatrick, President of MDS America, Incorporated ("MDS America"), met with Bryan Tramont, Senior Legal Advisor to Chairman Powell. Mrs. Kirkpatrick was also in attendance.

At the meeting, the group discussed the importance of higher rural power limits for Multichannel Video Distribution and Data Service ("MVDDS"), as well as MDS America's support for a 5 year build-out period for MVDDS. The group briefly discussed MDS America's ex parte filing concerning the proposed use of Designated Market Areas ("DMAs") instead of Component Economic Areas ("CEAs") for the upcoming auction.

The parties also discussed the possible delay of the MVDDS auction, and MDS America's opposition to an auction delay. Mr. Kirkpatrick also provided Mr. Tramont with an update concerning the status of the MDS MVDDS system deployment in the United Arab Emirates, including Etisalat's request for additional systems, the lack of interference to DBS, and the excellent quality of MVDDS service that Etisalat has reported receiving over the operational facilities.

Very truly yours,

Nancy Killien Spooner
Counsel for MDS America, Incorporated

cc: Kirk Kirkpatrick

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of April, 2003, a true and correct copy of the foregoing was served electronically (denoted by *) or via hand delivery, on the following individuals:

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