

LUKAS, NACE, GUTIERREZ & SACHS

CHARTERED

1111 NINETEENTH STREET, N.W.

SUITE 1200

WASHINGTON, D.C. 20036

(202) 857-3500

RUSSELL D. LUKAS  
DAVID L. NACE  
THOMAS GUTIERREZ  
ELIZABETH R. SACHS  
GEORGE L. LYON, JR.  
JOEL R. KASWELL  
PAMELA L. GIST  
DAVID A. LAFURIA  
MARILYN SUCHECKI MENSE  
B. LYNN F. RATNAVALE  
TODD SLAMOWITZ  
DAVID M. BRIGLIA  
ALLISON M. JONES  
STEVEN M. CHERNOFF

\* NOT ADMITTED IN D.C.

CONSULTING ENGINEERS  
ALI KUZEKCANANI  
LEROY A. ADAM  
LEILA REZANAVAZ

OF COUNSEL

JOHN J. MCAVOY  
J.K. HAGE III\*

LEONARD S. KOLSKY\*

TELECOPIER  
(202) 857-5747

<http://www.fcclaw.com>

WRITER'S DIRECT DIAL

May 27, 2003

(202) 828-9475

RECEIVED

MAY 27 2003

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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

Re: Oral Ex Parte Presentation  
CC Docket No. 96-45

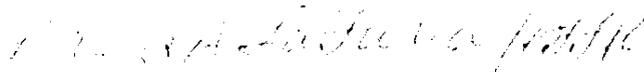
Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. Section 1.1206, we hereby provide you with notice of an oral *ex parte* presentation in connection with the above-captioned proceeding. On Friday, May 23, 2003, undersigned counsel and Smith Bagley met with Lisa Zaina and Scott Bergmann on behalf of Smith Bagley, Inc. ("SBI"). The purpose of the meeting was to discuss SBI's pending petition for ETC status in Utah, possible ways to bring service to near reservation lands and possible definitions for near reservation lands that the FCC may consider adopting.

In accordance with the Commission's rules, two copies of this letter are enclosed for inclusion in the Commission's docket file.

If you have any questions or require any additional information, please contact undersigned counsel directly.

Sincerely,



David LaFuria  
Counsel for Smith Bagley, Inc.

cc: Lisa Zaina  
Scott Bergmann