

CTIA

Building The Wireless Future™
Cellular Telecommunications & Internet Association

July 17, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
12th Street Lobby, TW-A325
Washington, D.C. 20554

**Re: *Ex Parte* Letter
WT Docket 02-55**

Dear Ms. Dortch:

CTIA submits this *ex parte* letter in response to a letter filed in the above-referenced docket by Mark D. Pallans, Telecommunications Manager for the City of Fort Lauderdale. Mr. Pallans questions CTIA's inclusion of a City of Fort Lauderdale comment in a document CTIA has distributed to Commission staff regarding Public Safety concerns about the so-called "Consensus Plan." The challenged quotation reads: "The FCC's suggestion that the interference caused by interleaving can be solved by removing public safety from the interleaved spectrum addresses only one small part of the problem. . . . The majority of the interference problems would not be addressed by this proposal." Mr. Pallans stated that CTIA "represented the City of Fort Lauderdale as being against the Consensus Plan, . . . and the City does, indeed, support the Consensus Plan." CTIA did not make such a representation, but we understand Mr. Pallans' concern and welcome this opportunity to address it.

In each of the meetings in which CTIA distributed the attached document (which is the document referenced in Mr. Pallans' letter), CTIA stated that the document is simply a snapshot of comments on the record in this proceeding, and the comments referenced are not intended to be an indictment of the Consensus Plan by the Public Safety entities, nor an endorsement of the 800 MHz User Coalition plan. Rather, CTIA advised the attendees at the meetings that the document details issues raised by Public Safety Licensees the Commission will have to address if the Commission were to adopt the Consensus Plan. CTIA placed the comment date at the beginning of each series of quotes so Commission staff could check the record and retrieve a particular set of comments by placing the commenting party and date into the Commission's searchable database.



While it is correct that the referenced quotation from the City of Fort Lauderdale is in fact over a year old, CTIA included the quote because the statement is still important in light of the revised “Consensus Plan.” There is no dispute that the City of Fort Lauderdale advised the Commission that, “removing public safety from the interleaved spectrum addresses only one small part of the problem. . . . The majority of the interference problems would not be addressed by this proposal.” While the City of Fort Lauderdale’s comments were filed in response to the FCC NPRM, if it is true that “removing public safety from the interleaved spectrum addresses only one small part of the [interference] problem” this is relevant to the FCC’s consideration of the “Consensus Proposal” since “removing public safety from the interleaved spectrum” is at the core of the “Consensus Proposal.” Accordingly, CTIA believes that the concern raised by the City of Fort Lauderdale in its comments remains valid, since the issue addressed in the City’s comments to the NPRM remains an issue in the FCC’s consideration of the “Consensus Proposal.”

CTIA did not intend to represent the City of Fort Lauderdale as opposing the Consensus Plan, and we apologize for any misinterpretation.

Pursuant to Section 1.1206 of the Commission’s Rules, this letter is being electronically filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

Michael F. Altschul

Michael F. Altschul

Attachment

cc: Commissioner Kevin J. Martin
Sam Feder
Mark D. Pallans

