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August 18, 2003

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VIA ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
The Portals, TW-A325
445 12th Street, SW
Washington, DC 20554

**Re: *Ex parte* Notification – Biotronik Request for Waiver Of MICS
Frequency Monitoring Requirements – ET Docket 03-92**

Dear Ms. Dortch:

On August 15, 2003, Robert Pettit and I from Wiley Rein & Fielding, LLP, counsel to Medtronic, Inc., met with Bryan Tramont, Senior Legal Advisor to Chairman Powell, Trey Hanbury of the Office of General Counsel, and Ed Thomas and Julius Knapp of the FCC's Office of Engineering and Technology to discuss the above-referenced Request for Waiver.

We discussed the issues that Medtronic raised in its Comments and Reply Comments filed in opposition to the Request Waiver of the listen-before-transmit regulations for the Medical Implant Communications Service (MICS) in Part 95 of the FCC's rules.

Please contact me should any questions arise concerning this matter.

Sincerely,

John W. Kuzin
Counsel for Medtronic, Inc.

cc (via email): Trey Hanbury
 Julius Knapp
 Ed Thomas
 Bryan Tramont

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