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August 28, 2003

Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W., Room TW A-325
Washington, DC 20554

**Re: Ex Parte Notice – WT Docket No. 99-87
Implementation of Sections 309(j) and 337 of
the Communications Act of 1934, as Amended**

To the Secretary:

This is to provide notice that, on August 27, 2003, the United Telecom Council (UTC) met with members of the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau, including Chief D'wana Terry, Deputy Chief Herb Zeiler, Deputy Chief Jeanne Kowalski, and Deputy Branch Chief Scot Stone. While discussing a variety of issues, the above-referenced docket was mentioned.

UTC and the American Petroleum Institute (API) have filed a joint Petition for Reconsideration, as well as a joint Motion for Stay of the *Second Report and Order* in this docket (FCC 03-34, released February 25, 2003). API/UTC has asked that the Commission reconsider its first deadlines in the transition to mandatory narrower bandwidth operation, now set for January 2004. The two associations recommend that the prohibition on modifications of existing 25 kHz systems be delayed to January 2006. The additional time is needed due to the 3-5 year budgeting processes of critical infrastructure entities such as energy production companies and electrical/gas/water utilities, and the large size of some of these systems, which must be converted to new operation at one time. Given the short amount of time until the current deadline takes effect, UTC urges the Bureau to consider the API/UTC Motion for Stay expeditiously, and separately from the several Petitions for Reconsideration it has received.

This Notice is being filed pursuant to Section 1.1206 of the Commission's Rules and Regulations, 47 C.F.R. § 1.1206. If there are any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "William M. Sykes". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Cc: D'wana Terry, Chief
Herb Zeiler, Deputy Chief
Jeanne Kowalski, Deputy Chief
Scot Stone, Deputy Branch Chief