



QUALCOMM Incorporated

2001 Pennsylvania Ave., NW □ Suite 650 □ Washington, DC 20006 □ Tel: 202.263.0020

www.qualcomm.com

March 18, 2004

Via ECFS & Mail

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

Re: Notice of Oral Ex Parte Presentation in Docket Nos. WT 03-264 & ET 02-137

Dear Ms. Dortch:

On behalf of QUALCOMM Incorporated (“QUALCOMM”), this is to report that on March 17, 2004, Dr. Irwin Jacobs, QUALCOMM’s Chairman & CEO, Jonas Neihardt, QUALCOMM’s Vice President- Federal Affairs, and I met with John Muleta, Gerald Vaughn, Scott Delacourt, David Furth, and Uzoma Onyeije of the Wireless Telecommunications Bureau (collectively, the “WTB Staff”). During the course of the meeting, we presented QUALCOMM’s views on two pending proceedings, WT Docket No. 03-264, the so-called Parts 22 and 24 harmonization proceeding, and ET Docket No. 03-137, a proceeding aimed at streamlining the Commission’s equipment authorization processes.

With respect to the harmonization proceeding, Dr. Jacobs explained that the proposal to change the Commission’s rule on PCS base station output power, 47 C.F.R. §24.232 (a), from 100 watts per transmitter to 100 watts per carrier, if adopted, would not be technology neutral because it would favor air interfaces that use narrower channels over those that use wider channels, including CDMA. Such a change would be unfair and would constitute a sharp departure from the Commission’s heretofore technology neutral policies, which have allowed the wireless industry to flourish. Dr. Jacobs explained that a much better limit, which would apply equally to all air interfaces without favoring any interface, would be based on a base station’s radiated power density, EIRP/MHz.

With respect to the proceeding on the Commission’s equipment authorization processes, Dr. Jacobs presented an overview of QUALCOMM’s EV-DO technology and its proliferation. In the course of that overview, he mentioned QUALCOMM’s work with laptop vendors, who are interested in embedding EV-DO modules in their laptop models. In that connection, we reminded the WTB Staff that in Docket No. 03-137, we proposed that the FCC adopt formal rules to streamline the equipment authorization process for Part 22 and 24 modules. We explained that at present, the Commission does not have any rules to govern the approval of these modules, and that just as the Commission has proposed streamlining the approval process for Part 15 modules, the Commission should adopt rules to streamline the approval process for Part 22 and 24 modules so that laptop vendors will be able to install EV-DO modules into

laptops and not face any delays in the equipment authorization process.

In accordance with the Commission's rules, I am filing this letter via ECFS in Docket No. 02-137. Because ECFS does not apparently yet permit filings in Docket No. 03-264, I am filing by an original and two copies of this letter with the Secretary's office for inclusion in that Docket.

Respectfully submitted,

/s/ Dean R. Brenner

Dean R. Brenner
Senior Director, Government Affairs
QUALCOMM Incorporated

Cc: John Muleta
Gerry Vaughn
Scott Delacourt
David Furth
Uzoma Onyeije