

CTIA

Building The Wireless Future™
Cellular Telecommunications & Internet Association

April 8, 2004

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

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

Dear Ms. Dortch:

On Wednesday, April 7, 2004, the Cellular Telecommunications & Internet Association (“CTIA”) represented by Diane Cornell, Vice President for Regulatory Policy, met with Bryan Tramont, Chief of Staff to Chairman Powell, and Sheryl Wilkerson, Legal Advisor to Chairman Powell, to discuss issues related to the ongoing 800 MHz proceeding.

CTIA reiterated its concern with the implementation challenges and legal vulnerabilities posed by the so-called “Consensus Plan” filed by Nextel Communications, some public safety associations, and private wireless groups. CTIA emphasized that any approach that would not auction spectrum at 1.9 GHz but would instead make it available to one carrier through a “private sale” would create a significant litigation risk that could ultimately slow the process of resolving interference in the 800 MHz band. CTIA emphasized that the Commission should continue to consider other alternatives in the record that are less risky legally, and do not involve a “private sale” of spectrum to one carrier in the 1.9 GHz band.

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,

Diane Cornell

Diane Cornell

cc: Bryan Tramont
Sheryl Wilkerson

