



April 21, 2004

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Improving Public Safety Communications in the 800 MHz Band  
WT Docket No. 02-55  
*Ex Parte Presentation*

Dear Ms. Dortch:

On April 15, 2004, UBS Investment Research (UBS) released a report entitled "Proposed Spectrum Swap: Working Through the Noise." In its analysis, UBS concludes that the Consensus Plan "is the best approach to solving the interference issue in the 800 MHz band." As one of the original Consensus Parties that proposed the Consensus Plan in August 2002, the Industrial Telecommunications Association, Inc. (ITA) agrees with this finding, and it hereby submits this UBS report into the written record of this proceeding.

In addition to its conclusion regarding the public safety benefits of the Consensus Plan, UBS presents the following views and findings on the role of Nextel Communications, Inc. (Nextel) in resolving 800 MHz interference, and on the recent filings of Verizon Wireless (Verizon) in this proceeding. Specifically, UBS states the following on these issues:

- "We believe that Nextel's participation is essential to the re-alignment of the 800 MHz band since it occupies a large portion of the spectrum that would be subject to relocation."
- "We believe that auctioning off the 1.9 GHz spectrum does nothing to solve the interference issue at 800 MHz and, therefore, is just more noise."
- "Verizon has stated that it is prepared to submit an initial, opening bid of \$5 billion for [the 1.9 GHz] spectrum should the spectrum be auctioned. . . . Is cash king? We don't think so. Again, we think the FCC has to go back to the original goal of this whole process, which was to solve the interference in the 800 MHz band. Verizon Wireless's cash does little to solve this, especially if Nextel does not agree to swap its spectrum in the 800 MHz band."

.../...

- “Nextel believes that its [contribution to the Consensus Plan] is in the \$5 billion range as well; however, it is a combination of cash, assets and costs incurred to fix the interference issue rather than just hard cash.”

Pursuant to section 1.1206(b)(1) of the Commission’s rules, 47 C.F.R. § 1.1206(b)(1), this *ex parte* presentation is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Sincerely,

/s/ Laura L. Smith

Laura L. Smith

President/CEO

INDUSTRIAL TELECOMMUNICATIONS

ASSOCIATION, INC. (ITA)

8484 Westpark Drive, Suite 630

McLean, Virginia 22102

703-528-5115