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June 1, 2004

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-B204
Washington, DC 20554

**Re: Notice of Oral *Ex Parte* Communication,
WT Docket No. 02-353**

Dear Madam Secretary:

In accordance with Section 1.1206 of the Commission's rules, 47 C.F.R. Section 1.1206, we hereby provide you with notice of an oral *ex parte* presentation in connection with the above-captioned proceeding. On Tuesday, June 1, 2004, representatives of the Rural Cellular Association ("RCA") met with the following staff members of the Wireless Telecommunications Bureau to discuss the band plan for licensing of 90 MHz of spectrum for Advanced Wireless Services (3G):

John Spencer, Blaise Scinto, Mary Woytek, Peter Corea, Peter Trachtenberg, Brian Carter, Eli Johnson, Nese Guendelsberger and Diana Cohen

In addition to undersigned counsel, RCA representatives Tom Walsh and Art Prest participated in the meeting on RCA's behalf. RCA's consulting engineer, Leila Rezanavaz, also participated in the meeting.

RCA's representatives discussed points in RCA's Petition for Reconsideration filed March 8, 2004 ("Petition"). RCA referred to the following band plan adopted by the Commission:

<u>Blocks</u>	<u>Pairings</u>	<u>MHz</u>	<u>Area</u>	<u>Licenses</u>
A	1710-1720 and 2110-2120	20	EA	176
B	1720-1730 and 2120-2130	20	REAG	12
C	1730-1735 and 2130-2135	10	REAG	12
D	1735-1740 and 2135-2140	10	RSA/MSA	734
E	1740-1755 and 2140-2155	30	REAG	12

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RCA proposed a compromise position not reflected in its Petition that would allow two licenses, of 20 MHz and 10 MHz, respectively, to be licensed according to RSA/MSA geographic boundaries. Specifically, RCA suggested that the Block A area be changed so that it is licensed on an RSA/MSA basis, in addition to Block D that is currently sized for RSAs/MSAs. That configuration would allow a large number of wireless carriers that presently serve Rural Service Areas to bid for and acquire spectrum for AWS that matches their current licensed areas for 800 MHz cellular service. With RCA's proposed band plan, 60 MHz of the available 90 MHz of spectrum would still be offered according to the large geographic areas known as "REAGs." The remaining 30 MHz would be offered in two license blocks with a geographic size that all carriers, large and small, might acquire according to their unique service plans and spectrum needs. A single license of 10 MHz for RSAs/MSAs does not provide sufficient spectrum for all forms of 3G service anticipated by the wireless industry.

Sincerely,

Filed Electronically

David L. Nace

Counsel for Rural Cellular Association

cc: John Spencer
Blaise Scinto
Mary Woytek
Peter Corea
Peter Trachtenberg
Brian Carter
Eli Johnson
Nese Guendelsberger
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