

July 26, 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  
RM 10865**

Dear Ms. Dortch:

On Thursday, July 22, 2004, CTIA-The Wireless Association, represented by Michael Altschul, Senior Vice President and General Counsel, spoke via phone with Christopher Libertelli, Legal Advisor, Office of Chairman Michael Powell, to discuss a pending Joint Petition for Expedited Rulemaking filed by the Federal Bureau of Investigation, United States Department of Justice, and the Drug Enforcement Administration, which requested that the Commission initiate a rulemaking proceeding to resolve various issues associated with implementation of the Communications Assistance for Law Enforcement Act (“CALEA”).

In particular, Mr. Altschul discussed proposed application of CALEA to push-to-talk mobile wireless services. Mr. Altschul emphasized that, in considering whether and how to apply CALEA obligations to push-to-talk services, the Commission should take care not to prejudge issues relating to CALEA in the context of the broader IP-Enabled Services rulemaking. Mr. Altschul also indicated that the Commission’s action should take into account the current lack of commercially-available intercept capabilities for most such services.

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,

*Michael Altschul*

Michael Altschul

Cc: Christopher Libertelli  
Julius Knapp