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August 16, 2004

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**VIA ELECTRONIC FILING**

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

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

Dear Ms. Dortch:

On behalf of AIRPEAK Communications, LLC ("AIRPEAK"), and in accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), undersigned counsel hereby submits the instant notice of an *ex parte* presentation.

On August 13, 2004, Elizabeth R. Sachs met with Michael Wilhelm, Chief, Public Safety & Private Wireless Division, Wireless Telecommunications Bureau and John Evanoff of the Division, to discuss issues relating to the relocation options available to non-Nextel ESMR licensees pursuant to the recently released Report and Order in the above-identified proceeding. Specifically, the parties discussed the regulations regarding the relocation of site-specific authorizations under the new rules and AIRPEAK's concern that the provisions adopted would unnecessarily impair its ability to relocate site-specific spectrum that would promote the provision of a valuable, competitive service offering.

Kindly refer any questions or correspondence regarding this matter to the undersigned.

Very truly yours,

/s/

Elizabeth R. Sachs

cc: Michael Wilhelm  
John Evanoff