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November 18, 2004

VIA ELECTRONIC FILING

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

Re: **NOTICE OF *EX PARTE* MEETINGS**
IB Docket No. 02-10
Use of Satellite Earth Stations on Board Vessels

Dear Ms. Dortch:

On November 17, 2004, Mary Ellen Kramer, President of Broadband Maritime, Inc. ("Broadband Maritime") and I had a series of *ex parte* meetings regarding the above-referenced docket with Jennifer Manner and Stephanie Zalewski from the office of Commissioner Kathleen Q. Abernathy, Barry Ohlson from the office of Commissioner Jonathan S. Adelstein, Sam Feder from the office of Commissioner Kevin J. Martin, and Paul Margie from the office of Commissioner Michael J. Copps. In addition, on November 18, 2004 I had a meeting with Sheryl Wilkerson from the office of Chairman Michael K. Powell. Ms. Kramer attended the meeting with Ms. Wilkerson by speakerphone.

Broadband Maritime operates a network of earth stations on board vessels ("ESVs") using the 5925-6425 MHz/3700-4200 MHz band ("C-Band") on board foreign-registered merchant marine ships pursuant to No. 4.4 of the Radio Regulations of the International Telecommunications Union ("ITU").

In each of the meetings, we discussed issues addressed in the comments, reply comments and letters filed by Broadband Maritime, including:

- The public interest need for ESV service;

- The reasons why Broadband Maritime must operate on C-Band on the open seas and why it would be impractical, costly and unduly burdensome to have dual C-Band/Ku-Band operations;
- The reasons for permitting operations on a non-interference basis without frequency coordination and why it would be impractical, costly and unduly burdensome for Broadband Maritime to frequency-coordinate C-Band use at each of the United States ports;
- The reasons why it is extremely unlikely that Broadband Maritime's ESV operations would cause harmful interference to terrestrial fixed microwave operations and methods for real time monitoring to protect terrestrial fixed services from interference from ESVs operating on an uncoordinated, non-interference basis;
- The *ex parte* letter filed by Broadband Maritime on November 11, 2004 proposing operational requirements that would protect fixed terrestrial wireless operations from ESV C-Band operations on a non-coordinated, non-interference basis; and
- The public interest need to routinely authorize 2.4 meter antennas for the C-Band ESV use and the parameters required by Annex 2 to International Telecommunications Union ("ITU") Resolution 902 adopted at WRC-03 to protect adjacent satellites spaced two-degrees apart.

At each of the meetings, we handed out a copy of the attached analysis which responds to theoretical claims of interference made by the Fixed Wireless Communications Coalition ("FWCC") in its *ex parte* letter of July 29, 2004. We explained that the analysis of the FWCC was based upon faulty assumptions and the reasons why those assumptions were incorrect.

Very truly yours,

/S/

Eliot J. Greenwald

Cc : Sheryl Wilkerson
Jennifer Manner
Paul Margie
Sam Feder
Barry Ohlson