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**VIA ELECTRONIC FILING**

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

Re: ***Ex Parte* Notice – WT Docket No. 01-309**

Dear Ms. Dortch:

This is to note that on behalf of Motorola on September 2, 2005, I spoke by telephone with Mr. Julius Knapp, Deputy Chief of the Office of Engineering and Technology, concerning the T-Mobile and Cingular waiver requests. I noted that if the Commission granted relief pursuant to these requests it would be important for OET to communicate to the Telecommunications Certification Bodies (TCBs) that the TCBs could grant HAC certifications based on 1900 MHz band performance. The rationale for this statement is that the TCBs generally are not permitted to approve devices pursuant to a waiver absent direction from OET.

Respectfully,

*/s/ David E. Hilliard*

David E. Hilliard  
Counsel for Motorola, Inc.

cc: Mr. Julius Knapp (via email)