



QUALCOMM Incorporated

2001 Pennsylvania Ave., NW ■ Suite 650 ■ Washington, DC 20006 ■ Tel: 202.263.0020 www.qualcomm.com

March 15, 2006

Via ECFS

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

Re: Oral Ex Parte Presentation in WT Docket No. 05-7

Dear Ms. Dortch:

This is to report that yesterday, Gina Lombardi, President of QUALCOMM's MediaFLO USA, Inc. subsidiary, Larry Hartigan, Senior Vice President, Business Development, of MediaFLO USA, Inc., and I, along with Mark Wallace of the Akerman Senterfitt firm, met with John Giusti, Legal Advisor to Commissioner Michael Copps to discuss the need for a prompt ruling on QUALCOMM's Petition for Declaratory Ruling in the above-captioned proceeding.

In the meeting, we discussed the continued progress that QUALCOMM is making in fulfilling its plan to launch MediaFLO this year. In particular, we discussed the fact that in addition to the prior announcement that Verizon Wireless will be the first carrier to offer MediaFLO commercial service, Sprint Nextel announced this week that they will conduct trials of MediaFLO. In addition, we informed Mr. Giusti that we continue to make progress with handset vendors who are working on manufacturing wireless phones with the capability to receive MediaFLO service. However, we pointed out to Mr. Giusti that we cannot complete the plans for the launch of MediaFLO until we can identify the markets in which the Commission will permit the service to be launched, which, in turn, depends upon whether QUALCOMM will be permitted to use the OET-69 methodology and the *de minimis* interference test proposed in QUALCOMM's Petition for Declaratory Ruling. As a result, we urged the prompt issuance of a ruling on QUALCOMM's Petition for Declaratory Ruling.

Respectfully submitted,

/s/ Dean R. Brenner

Dean R. Brenner
Vice President, Government Affairs

Cc: John Giusti, Esq.