

IRWIN, CAMPBELL & TANNENWALD, P.C.

ATTORNEYS AT LAW
1730 RHODE ISLAND AVENUE, N.W.
SUITE 200
WASHINGTON, D.C. 20036-3101
(202) 728-0400
FAX (202) 728-0354
<http://www.ictpc.com>

PETER TANNENWALD
(202) 728-0401 EXT. 105
ptannenwald@ictpc.com

March 31, 2006

FILED ELECTRONICALLY

Marlene H. Dortch, Secretary
Federal Communications Commission
Washington, DC 20554

**Re: Report of Oral Ex Parte Communication
WT Docket No. 02-55
ET Docket No. 00-258
ET Docket No. 95-18
RM-9498
RM-10024**

Dear Ms. Dortch:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, this is to report that an oral *ex parte* presentation was made in the above-referenced proceeding as follows.

Party making presentation: **Community Broadcasters Association**

Commission Staff:

Mary Beth Murphy, Chief, Policy Division, **Media Bureau**

Eloise Gore, Assistant Chief, Policy Division, **Media Bureau**

On **March 27, 2006**, I met with Ms. Murphy and Ms. Gore to discuss several issues of interest to the Community Broadcasters Association, the trade association of the nation's Class A and Low Power Television ("LPTV") stations. One of the topics I mentioned was the Petition for Clarification or Reconsideration filed in the above-captioned proceedings on January 27, 2006, by the Mohave County Board of Supervisors. That Petition noted the refusal of Sprint/Nextel to reimburse TV translator licensees for the cost of relocating their 2 GHz Broadcast Auxiliary Service ("BAS") microwave equipment to newly allotted 12 MHz digital channels. I indicated that Class A and LPTV stations are meeting the same kind of refusal by Sprint/Nextel and that such refusal is unjustified.

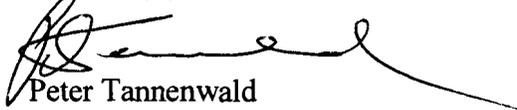
Marlene H. Dortch, Secretary

March 31, 2006

Page 2

I explained that while the Commission has stated that it does not view these proceedings as a vehicle for changing the primary or secondary status of any licensee in the 2 GHz band, the Commission never excluded secondary BAS users from the right of reimbursement, and in fact the Commission indicated a contrary affirmative intention to give them a reimbursement right. Furthermore, BAS licenses issued to Class A stations are primary, not secondary. Finally, Class A stations are the only stations obligated by law to broadcast a minimum amount of locally originated programming; and it would be extremely destructive for the Commission to take from them a critical tool used in local program origination. Local programming is also a hallmark of the LPTV industry, and LPTV stations likewise need microwave systems to serve their audiences. Class A and LPTV stations are among the least able to afford to convert their 2 GHz equipment to digital operation on narrower channels without reimbursement of their costs.

Very truly yours,

A handwritten signature in black ink, appearing to read "Peter Tannenwald", with a long horizontal flourish extending to the right.

Peter Tannenwald

Counsel for the Community Broadcasters Association

cc: (via e-mail)
Mary Beth Murphy, Esq.
Eloise Gore, Esq.
William Kennedy Keane, Esq.