



Pillsbury
Winthrop
Shaw
Pittman_{LLP}

2300 N Street NW
Washington, DC 20037-1128

Tel 202.663.8000
Fax 202.663.8007
www.pillsburylaw.com

April 4, 2006

Tony Lin
202.663.8000
tony.lin@pillsburylaw.com

Via Electronic Filing

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

Re: EX PARTE SUBMISSION
WT Docket 03-66; Amendment of Parts 1, 21, 73, 74, and 101 of the
Commission's Rules to Facilitate the Provision of Fixed and Mobile
Broadband Access, Educational and Other Advanced Services in the 2150-
2162 and 2500-2690 GHz Bands

Dear Ms. Dortch:

On April 4, 2006, Bradley Holmes, Chief Operating Officer of NY3G Partnership ("NY3G"), and Darryl Delawder of Delawder Communications, Inc. met with Dana Shaffer, legal advisor to Commissioner Tate, regarding the above-referenced proceeding. NY3G explained that the Commission's proposed "split-the-football" approach would not provide a viable solution for the co-channel F group licensees in New York City. As a practical business matter, in light of customer expectations of mobility, no wireless broadband provider could realistically offer a mobile service covering less than half of a metro area. Moreover, as shown in the attached maps, a split-the-football approach would create a huge exclusion zone, denying service on the F group channels to more than seven million people (and many millions more working, shopping, and traveling) in the heart of the market, including all of Manhattan, the Bronx, and Staten Island and much of Brooklyn, Queens, Westchester County and Jersey City. To remedy these problems, NY3G urged the Commission to divide the frequencies between the co-channel licensees, which would permit NY3G to offer a competitive, market-wide broadband service and eliminate the exclusion zone.

Very truly yours,

/s/

Bruce D. Jacobs

Tony Lin

Counsel for NY3G Partnership

cc: (w/attachments)

Dana Shaffer

F Group GSA Map - New York City



F Group GSA Map - New York City



Exclusion Zone

Region

Total population within
exclusion zones:
7,412,211

Wi-COM
CONSULTING

307 High St. Suite 200 Portsmouth, VA 23704 (757) 399-7140

