

April 12, 2006

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
12th Street Lobby, TW-A325
Washington, D.C. 20554

Re: ***Ex Parte*** Submission
WT Docket No. 05-211, 00-258, 02-353; and ET Docket No. 05-247

Dear Ms. Dortch:

On Tuesday, April 11, 2006, Christopher Guttman-McCabe, Vice President, Regulatory Affairs, CTIA - The Wireless Association®, David Jeppsen of NTT DoCoMo, Patrick Welsh of T-Mobile USA, and William Lake, counsel to T-Mobile USA, met with John Giusti, Acting Legal Advisor to Commissioner Michael Copps, to express concerns about unlawful restrictions imposed by the Massachusetts Port Authority (“Massport”) on the installation and use of antennas to create Wi-Fi hotspots at Boston-Logan International Airport. Massport’s actions: (1) Are precluded by the Over-the-Air Radio Device rules; (2) Undermine sound spectrum policies limiting exclusive use of spectrum to licensees; (3) Are inconsistent with shared use of unlicensed bands; and (4) Undermine the FCC’s exclusive jurisdiction over use of radio frequencies.

CTIA also expressed its concerns regarding the Commission’s tentative conclusion that it should restrict award of designated entity (“DE”) benefits in the upcoming Advanced Wireless Services auction to otherwise qualified entities with a “material relationship” with a “large in-region incumbent wireless service provider.” The Commission’s DE proposal would unfairly limit the ability of DEs to partner with large, in-region wireless providers, while providing little or no corresponding benefits. Pursuant to Section 1.1206 of the Commission’s Rules, this letter is being electronically filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

/s/ Christopher Guttman-McCabe

Christopher Guttman-McCabe

Cc: John Giusti