



QUALCOMM Incorporated

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May 2, 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:

On behalf of QUALCOMM Incorporated (“QUALCOMM”), this is to report that yesterday, Ronnie Ahern, Michael Meece, and I met with Bruce Gottlieb and Scott Deutchman, Legal Advisors to Commissioner Michael Copps, and we discussed QUALCOMM’s Petition for Declaratory Ruling in the above-referenced docket.

During the meeting, we provided background information on the MediaFLO service that QUALCOMM, through its MediaFLO USA, Inc. subsidiary, is launching on its Channel 55 spectrum in the second half of 2006. We highlighted the recent live over the air demonstrations of MediaFLO at the CTIA and NAB conventions throughout Las Vegas on handsets manufactured by six different vendors, as well as QUALCOMM’s progress in constructing its network.

With respect to QUALCOMM’s Petition for Declaratory Ruling, we explained that Section of 27.60 of the Commission’s Rules requires QUALCOMM to “reduce the potential” for interference, not to eliminate it, but that the Commission’s rule is vague because while it allows QUALCOMM to submit an engineering study to justify its proposed separations, the rule does not specify the methodology that should be used in such a study to calculate interference; does not establish a level of *de minimis* interference that is justified; and, does not explain how the Commission would process these engineering studies. To fill in these gaps in the rule, we asked for the relief requested in QUALCOMM’s Petition, namely that: (i) QUALCOMM be permitted to use the OET-69 methodology, which is well known to the Commission and the TV industry, to calculate interference; (ii) interference of 2% or less from QUALCOMM’s MediaFLO service to adjacent channel or co-channel TV/DTV stations be deemed *de minimis*, the same standard that governs interference from one DTV station to

another on the same Channel 55 spectrum; and (iii) the Commission adopt streamlined processing of the engineering studies. Finally, we stressed the need for an expeditious ruling on the Petition.

Respectfully submitted,

/s/ Dean R. Brenner

Dean R. Brenner
Vice President, Government Affairs
QUALCOMM Incorporated

Cc: Bruce Gottlieb, Esq.
Scott Deutchman, Esq.