

clearw^{ire}

815 Connecticut Avenue, N.W. , Suite 610
Washington, D.C. 20006

November 7, 2006

Via Electronic Filing

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

Notice of Ex Parte Presentation

RE: Amendment of Parts 1, 21, 73, 74 and 101 of the *Commission's* Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Education and other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, **WT Docket No. 03-66**

Dear Ms. Dortch:

Clearwire Corporation ("Clearwire"), a licensee, lessee, and operator of 2.5 GHz spectrum in the Broadband Radio Service (BRS) and Educational Broadband Service (EBS) is filing this letter in response to the October 30, 2006 *Ex Parte* filing made by the Wireless Communications Association International, Inc. ("WCA") in the above-referenced proceeding. In that filing, WCA reiterates its opposition to the Hispanic Information & Telecommunications Network, Inc.'s ("HITN") attempts to persuade the Commission to reinstate certain site-based applications that the Commission had previously dismissed. WCA failed, however, to indicate that the views set forth in its filing are not shared by all of its members having an interest in EBS spectrum. More specifically, WCA failed to note that Clearwire has previously expressed, on the record, its clear support for HITN's requested reinstatement, and has explained how and why such reinstatement need not impact or delay transition in these markets. Clearwire thus submits this letter to clarify that it specifically does not share the views expressed by WCA in its October 30 filing. As Clearwire discussed in its August 18, 2006 Consolidated Opposition To and Comments on Petitions for Reconsideration in this proceeding, reinstatement of these applications would most expeditiously get this spectrum into the hands of providers that value this spectrum the most, without the unnecessary delay attributable to the adoption and scheduling of a future auction process.¹ Moreover, reinstatement would facilitate the provision of wireless broadband service to the markets covered by the applications sooner than would otherwise occur were this spectrum to only become available through a future auction.

¹ See Clearwire Consolidated Opposition To and Comments on Petitions for Reconsideration, August 18, 2006 at 5-6

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this presentation is being filed electronically. If you have any questions regarding this matter, please do not hesitate to contact the undersigned at 202-429-0107.

Sincerely,

Madjassodo Wallare for
Terri B. Natoli

cc: Fred Campbell
Angela Giancarlo
John Giusti
Bruce Gottlieb
Barry Ohlson
Aaron Goldberger
Catherine Seidel
Cathleen Massey
Joel Taubenblatt
Peter Corea
John Schauble
Henry Allen
Nancy Zaczek