

April 6, 2007

***Electronic Filing***

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

**Re: *Ex Parte Presentation*  
WT Docket No. 03-187**

Dear Ms. Dortch:

On April 5, 2007, Andrea Williams, Assistant General Counsel, CTIA – The Wireless Association® (“CTIA”), Ann Bobeck, Associate General Counsel, National Association of Broadcasters (“NAB”), and Anne Perkins, Manager of Industry Affairs, PCIA – The Wireless Infrastructure Association (“PCIA”) (collectively, “Industry Representatives”) met with Erica Olsen, Acting Legal Advisor, Wireless Issues to Chairman Kevin Martin to discuss the status of the ongoing discussions between the Industry Coalition and leading environmental organizations<sup>1</sup> and their good faith efforts to address areas of commonality with respect to the effects of communications towers on migratory birds and narrowing areas of disagreement.

The meeting focused primarily on STATIC’s<sup>2</sup> efforts thus far, particularly its pending request before the Federal Aviation Administration (“FAA”) to conduct a conspicuity study to examine whether the use of steady burning red obstruction sidelights can be safely eliminated where currently prescribed for communications towers. We

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<sup>1</sup> The Industry Coalition includes CTIA, NAB, NATE (National Association of Tower Erectors) and PCIA. The leading environmental organizations include American Bird Conservancy, National Audubon Society, Defenders of Wildlife, and Environmental Defense.

<sup>2</sup> Solving the Avian-Tower Interaction Committee (“STATIC”) is a joint effort between the Industry Coalition and the aforementioned leading environmental organizations to open and maintain a dialogue related to avian tower safety as it relates to the issues raised in this proceeding.

also discussed potential FCC support for such a study and encouraged the FCC to consider opening a dialogue with the FAA on this issue.

Industry Representatives indicated the discussions thus far with the environmental organizations have been a constructive process and noted STATIC's upcoming meeting on April 11<sup>th</sup>. They indicated they anticipated a very constructive dialogue and hopeful that the parties involved in the STATIC process could reach consensus on several issues. Ms. Williams noted that whether this could be accomplished before the April 23<sup>rd</sup> filing date is uncertain, and that STATIC would have a better sense after the April 11<sup>th</sup> meeting. Finally, the Industry Representatives responded to questions that Ms. Olsen had concerning the type of costs associated with lighting towers and issues addressed in the Woodlot Technical Reports, submitted by the Industry Coalition in the record of the NOI phase of this proceeding.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS with your office. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

*/s/ Andrea D. Williams*

Andrea D. Williams  
Assistant General Counsel

cc: Erika Olsen  
Fred Campbell