

June 19, 2007

Marlene H. Dortch
Secretary
Federal Communications Commission
TW-A325
445 Twelfth Street, SW
Washington, DC 20554



Re: Notice of Ex Parte presentation in WT Docket No. 06-150

Dear Ms. Dortch:

On June 18, 2007, Harold Feld, and Lee Previant of Media Access Project; Gigi Sohn, Elizabeth Gonsiorowski, and Jacob Levin of Public Knowledge; and Michael Calabrese of New America Foundation, met with Aaron Goldberger, Legal Advisor to Commissioner Tate of the FCC with regard to the above captioned matter.

The parties discussed the PISC open access proposal and PISC emphasized that 30MHz should be set aside for open access. In addition, PISC highlighted the need for anonymous bidding during the auction and the need for network neutrality after the auction. Mr. Goldberger asked which band plan the PISC supported. PISC stated a preference for Band Plan 3, less support for Band Plan 1. PISC emphasized the need for large REAG licenses to facilitate new entrants while balancing the concerns of public safety, which is best addressed by Band Plan 3. Although doubt exists if an independent "third pipe" will emerge, PISC noted that several bidders – including Spectrumco, which won substantial numbers of licenses, and the DBS Wireless partnership --.did not definitively express interest in bidding until the deadline for filing applications.

Mr. Goldberger mentioned a proposal that would use channel 56 as a "test bed" for open access. PISC highlighted that one unpaired 6MHz channel would be insufficient to compete with DSL or cable by today's standards, let alone those of 2009 when the spectrum would become available. (WiMax providers and others in this proceeding have urged the need for at least 10 MHz paired for viable broadband.) Such a "test bed" would therefore be designed to fail. Nor is there any room to expand the open access regime if the "test bed" proves a success.

In accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206, this letter is being filed with your office.

Respectfully submitted,

/s/

Harold Feld
Senior Vice President

cc: Aaron Goldberger