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August 13, 2007

**VIA ECFS**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

**Re: Notice of Oral Ex Parte Presentation  
WT Docket Nos. 07-16 and 07-30**

Dear Ms. Dortch:

M2Z Networks, Inc. ("M2Z"), by its attorneys and pursuant to Section 1.1206 of the rules of the Federal Communications Commission ("FCC" or "Commission"), hereby files this notice of oral ex parte presentation.

On Friday, August 10, 2007, Erika Olsen, Acting Legal Advisor, Office of Chairman Martin, contacted by telephone Michael E. Meece, President of The Meece Group, LLC, a consultant to M2Z. According to Mr. Meece, Ms. Olsen renewed her assertion, originally made on August 9<sup>th</sup>, that the Office of the Chairman intended to circulate an item on August 10<sup>th</sup> that would deny M2Z's application and forbearance petition, while simultaneously seeking to conduct a rulemaking regarding the 2155-2175 MHz band.

Ms. Olsen stated that circulation by Friday, August 10<sup>th</sup> was necessary in order to have the item voted by September 1st, which is what the Office of the Chairman considers to be the deadline for action under both Section 7 and Section 10 of the Communications Act of 1934, as amended. She further explained that the Commission could, on its own motion, extend the Section 10 deadline but not the Section 7 deadline. Accordingly, she suggested that if M2Z would like to extend the time period for consideration of its application, M2Z should withdraw its assertions that the Commission was obligated to make a public interest determination on M2Z's license application by May 5, 2007 —12 months after M2Z filed its application. *See* 47 U.S.C. § 157.

Throughout the day on Friday the 10th, Mr. Meece had several conversations with officials at M2Z and separately with the Ms. Olsen in order to understand the nature of the request to withdraw the Section 7 assertion and its implications for M2Z's license application. On Friday afternoon, Mr. Meece indicated to Ms. Olsen that M2Z would not withdraw its assertion. It is Mr. Meece's understanding that later on Friday, August 10<sup>th</sup>, the Office of the Chairman circulated a draft Order denying M2Z's license application and forbearance petition.

If you have any questions concerning this matter, please do not hesitate to contact the undersigned.

Sincerely,

/s/

Erin L. Dozier

cc: Ms. Erika Olsen