



Hogan & Hartson LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
+1.202.637.5600 Tel
+1.202.637.5910 Fax

www.hhlaw.com

April 29, 2008

Michele C. Farquhar
Partner
202-637-5663
mcfarquhar@hhlaw.com

VIA ELECTRONIC FILING

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Room TWA325
Washington, D.C. 20554

**Re: Notice of *Ex Parte* Presentation
ET Docket Nos. 04-186, 02-380**

Dear Ms. Dortch:

On April 28, 2008, Caressa D. Bennet of Bennet & Bennet, PLLC, General Counsel for the Rural Telecommunications Group, Inc. (“RTG”); Joseph M. Sandri, Jr., Senior Vice President of Government and Regulatory Affairs for FiberTower Corporation (“FiberTower”); Richard B. Engelman, Director, Spectrum Resources, Government Affairs for Sprint Nextel Corporation (“Sprint Nextel”); Patrick T. Welsh, Senior Corporate Counsel, Federal Regulatory Affairs for T-Mobile USA, Inc. (“T-Mobile”); Paul Garnett, Assistant Vice President, Regulatory Affairs of CTIA – The Wireless Association (“CTIA”); and Michele C. Farquhar of Hogan & Hartson, LLP, Special Counsel to FiberTower and RTG, met with Commissioner Deborah Tate and her advisor Wayne Leighton;¹ Aaron Goldberger, legal advisor to Chairman Kevin Martin;² and Wireless Telecommunications Bureau staff Joel Taubenblatt, Walt Strack, Roger Noel, Nese Guendelsberger, and Jennifer Salhus to discuss the above-referenced proceeding. Kathleen Ham, T-Mobile Vice President, Federal Regulatory Affairs, also attended the meeting with Aaron Goldberger.

During the meetings, the parties reiterated their positions as outlined in several filings in this proceeding, including the RTG-FiberTower white paper *Optimizing the TV Bands White*

¹ Ms. Bennet did not attend the meeting with Commissioner Tate and Wayne Leighton.

² Mr. Sandri did not attend the meeting with Aaron Goldberger.

Spaces;³ the Sprint Nextel and T-Mobile January 3, 2008 filing endorsing the white paper;⁴ the CTIA March 25, 2008 filing;⁵ and the March 31, 2008 filing by FiberTower, RTG, Sprint Nextel, T-Mobile, and NTCA.⁶ Specifically, the parties discussed the benefits of licensed rather than unlicensed use of the TV white spaces, including the huge unmet demand for licensed spectrum, the exceptional propagation features of the TV white spaces (which are ideal for lower-cost backhaul over much longer distances), the promotion of build-out in rural areas, the benefits to consumers, and the enhanced protection of incumbents through greater certainty and accountability.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being filed via ECFS with your office.

Respectfully Submitted,

/s/ Michele C. Farquhar

Michele C. Farquhar
Special Counsel to FiberTower Corporation
and the Rural Telecommunications Group, Inc.

cc: Commissioner Deborah Tate
Wayne Leighton
Aaron Goldberger
Joel Taubenblatt
Walt Strack
Roger Noel
Nese Guendelsberger
Jennifer Salhus

³ "Optimizing the TV Bands White Spaces: A Licensed, Fixed-Use Model for Interference-Free Television and Increased Broadband Deployment in Rural and Urban Areas," *Ex Parte* filing by FiberTower Corporation and the Rural Telecommunications Group, Inc., ET Docket Nos. 04-186, 02-380 (filed Oct. 2, 2007) ("*White Paper*").

⁴ *Ex Parte* filing by Sprint Nextel Corporation and T-Mobile USA, Inc., ET Docket Nos. 04-186, 02-380 (filed Jan. 3, 2008).

⁵ *Ex Parte* filing by CTIA, ET Docket Nos. 04-186, 02-380 (filed Mar. 25, 2008).

⁶ *Ex Parte* filing by FiberTower Corporation, the Rural Telecommunications Group, Inc., Sprint Nextel Corporation, T-Mobile USA, Inc., and the National Telecommunications Cooperative Association, ET Docket Nos. 04-186, 02-380 (filed Mar. 31, 2008).