June 5, 2008

Via Electronic Filing

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

Re: WT Docket Nos. 07-195, 04-356, 07-16 and 07-30 – Notification of Oral Ex Parte Presentation

Dear Ms. Dortch:

On June 4, 2008, John Muleta and the undersigned, on behalf of M2Z, had a telephone conversation with Mr. Bruce Gottlieb, Legal Advisor to Commissioner Michael J. Copps. During the meeting, we discussed the AWS-3 proceeding and raised issues consistent with M2Z's previous filings in the above captioned proceedings. Enclosed is a presentation provided to Mr. Gottlieb.

Pursuant to Section 1.1206(b) of the Commission rules, an electronic copy of this letter is being filed. Please let me know if you have any questions regarding this submission.

Sincerely,

Uzoma Onyeije

cc: Mr. Bruce Gottlieb

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TDD OPERATIONS IN THE AWS-3 BAND IS NOT A NEW IDEA

The FCC contemplates permitting TDD operations in the AWS-3 band	**2/10/03** FCC 03-16 ¶ 68 FCC 03-16 ¶ 69	"We envision that this spectrum could be offered in equally sized paired blocks to support FDD or TDD applications, or a combination of these technologies." "[T]he 2155-2180 MHz band could be used to support TDD operations in a 15 megahertz portion and as relocation spectrum for MDS in the remaining 10 megahertz portion."
The AWS-1 band plan was designed so that licensees in the outer bands would have the ability to deal with adjacent band interference on an internalized basis. In addition, in its decision regarding AWS-1 the FCC committed to seek out opportunities for TDD in future AWS decisions.	**11/23/03** FCC 03-251 ¶ 43 FCC 03-251 ¶ 46	"Along with allowing licensees to tailor their acquisition of licenses to meet their individual business plans, our spectrum block arrangement provides licensees with maximum flexibility to resolve adjacent band interference issues and issues related to the relocation of existing licensees in the 1710-1755 and 2110-2155 MHz bands. By placing the larger 10 and 15 megahertz blocks at either end of the two bands, licensees in these segments will have sufficient bandwidth and maximum flexibility to resolve adjacent band interference concerns." "Our [AWS-1] band plan does not include unpaired spectrum that might be suitable for use by entities interested in using time division duplexing (TDD) transmissions. . . . In the meantime, we will make every effort to provide spectrum opportunities for TDD systems in future allocation and spectrum proceedings, such as in the AWS Allocation proceeding."
Commenting parties contemplate the suitability for TDD technologies of the AWS-3 band and nearby bands included within AWS-2	**9/22/04** FCC 04-219 ¶¶ 43-44	"The AWS Third NPRM sought comment on the potential uses of the 2020-2025 MHz band, including pairing this five megahertz block with an equal-sized amount of spectrum in the 2155-2180 MHz band. . . . AT&T Wireless suggests that the block could either be used as unpaired spectrum suitable for TDD technologies, or as relocation spectrum for government operations displaced from the 1710-1755 MHz band."
AWS-1 Bidders were asked to conduct a due diligence review before placing their bids.	**4/12/06** FCC 06-47 ¶ 38	"Potential bidders are reminded that they are solely responsible for investigating and evaluating all technical and marketplace factors that may have a bearing on the value of the AWS-1 licenses in this auction. **The FCC makes no representations or warranties about the use of this spectrum for particular services. Applicants should be aware that an FCC auction represents an opportunity to become an FCC licensee in the Advanced Wireless Services subject to certain conditions and regulations. An FCC auction does not constitute an endorsement by the FCC of any particular service, technology, or product, nor does an FCC license constitute a guarantee of business success.** Applicants should perform their individual due diligence before proceeding as they would with any new business venture." (emphasis in original).
M2Z applies for a license to provide TDD services in the 2155-2175 MHz band	**5/5/06** M2Z Application at 13	"M2Z's planned network will make use of . . . time division duplex ("TDD"), advanced antenna system ("AAS") technology, and Orthogonal Frequency Division Multiple Access ("OFDMA") waveforms . . . ."
Press reports widely cover the M2Z Application	**5/22/06**	*Business Week* - *http://www.businessweek.com/technology/content/may2006/tc20060522_430352.htm?campaign_id=rss_tech* *New York Times* - *http://www.nytimes.com/2006/05/23/technology/23wireless.html?ex=1306036800&en=e7e84c924c241ca4&ei=5088&partner=rssnyt&emc=rss*
Auction 66 for the AWS-1 band commences with no TDD-related objections	**8/9/06**	*See* http://wireless.fcc.gov/auctions/default.htm?job=auction_summary&id=66
AWS-1 licensees are allowed to operate at higher power at their base stations.	**3/21/08** FCC 08-85 ¶ 25	"[W]e will allow PCS and AWS licensees employing bandwidths greater than 1 MHz to meet a base station power limit of 1640 watts/MHz EIRP. . . . As we stated in the *April 700 MHz Order*, this approach to defining power limits 'will achieve a degree of technological neutrality by ensuring that all licensees regardless of technology will have enough power to operate a viable service.'"