

June 16, 2008

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

Re: *Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band (WT Docket No. 07-293), Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band (IB Docket No. 95-91) and Consolidated Application for Authority to Transfer Control of XM Radio Inc. and Sirius Satellite Radio Inc. (MB Docket No. 07-57)*

NOTICE OF ORAL EX PARTE PRESENTATION

Dear Ms. Dortch:

I am writing pursuant to Section 1.1206(b)(2) of the Commission's Rules to notify the Commission that on Friday, June 13, 2008 Jennifer McCarthy and Kurt Schaubach of NextWave Broadband, Inc., Doug Duet and Brian Benison of AT&T Inc., Ron Olexa of Horizon Wi-Com, LLC and I met on behalf of the WCS Coalition with Angela Giancarlo, Legal Advisor to Commissioner Robert McDowell, to discuss the issues pending in the above-referenced proceedings regarding the coexistence of Satellite Digital Audio Radio Service ("SDARS") terrestrial repeaters and Wireless Communications Service ("WCS") wireless broadband systems in the 2305-2360 MHz band and the proposed merger between XM Radio Inc. and Sirius Satellite Radio Inc.

During the course of the meeting, the representatives of WCS Coalition reiterated the concerns previously raised by the WCS Coalition regarding the further testing of possible interference between the two services and the possible impact on WCS/SDARS coexistence of the conditions others have sought to have imposed on the proposed XM/Sirius merger. A copy of the attached document was provided to Ms. Giancarlo.

WILKINSON ) BARKER ) KNAUER ) LLP

Marlene H. Dortch

June 16, 2008

Page 2

Pursuant to Sections 1.1206(b) and 1.49(f) of the Commission's Rules, an electronic copy of this letter is being filed with the office of the Secretary. Should you have any questions regarding this matter, please contact the undersigned.

Respectfully submitted,

/s/ Paul J. Sinderbrand

Paul J. Sinderbrand

Counsel to the WCS Coalition

Attachment

cc: Angela Giancarlo

# **The Stars, The Sun and The Moon Must Perfectly Align for A WCS Mobile to Interfere With A SDARS Receiver**

- Are the WCS device and SDARS receiver in close proximity?
- Is the WCS device transmitting?
- At what power is the WCS device transmitting?
- Are there obstructions between the transmitter and receiver?
- On what frequency block is WCS transmitting?
- Is the SDARS device receiving?
- What service is the SDARS receiver subscribed to?
- What make and model SDARS receiver is it?
- Is the SDARS receiver served by a terrestrial repeater?
- Do the WCS antenna and SDARS antenna have a high degree of mutual coupling?
- Is either device in motion away from the other?