

June 18, 2008

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: *WT Docket No. 08-61 – Notification of Ex Parte Presentation*

Dear Ms. Dortch:

Pursuant to Section 1.1206(b)(2) of the Commission's rules, notice is hereby given that on June 17, 2008, representatives of CTIA – The Wireless Association[®] (“CTIA”), the National Association of Broadcasters (“NAB”), the National Association of Tower Erectors (“NATE”) and PCIA – The Wireless Infrastructure Association (“PCIA”) (collectively, the “Infrastructure Coalition” or “Coalition”) met with FCC staff to encourage the prompt issuance of a Notice of Proposed Rulemaking (“NPRM”) to address the public notice issues raised by the United States Court of Appeals in *American Bird Conservancy, Inc. v. FCC*, 516 F.3d 1027 (D.C. Cir. 2008) (“*Remand Order*”).¹ A list of the meeting participants is attached.

During the meeting, the Infrastructure Coalition commended the Commission for the speed with which it sought comment on the Coalition's Petition for Expedited Rulemaking,² which proposed notice procedures that emphasize certainty of timing and process and consistency with the *Remand Order*.³ Noting that commenters on all sides agreed that an expedited rulemaking is warranted, the Infrastructure Coalition urged the FCC to “proceed with dispatch”⁴ to issue an NPRM focused on notice issues. The Coalition also noted that continued processing of antenna structure registration applications while the rulemaking is proceeding

¹ See 47 C.F.R. § 1.1206(b)(2).

² See *Public Notice*, “Wireless Telecommunications Bureau Seeks Comment on Petition for Expedited Rulemaking of CTIA – The Wireless Association, et al., for Amendment of Parts 1 and 17 of the Commission's Rules Regarding the Public Notice Procedures for Processing Antenna Structure Registration Applications,” DA 08-1078 (May 6, 2008). Comments were due on or before May 27, 2008.

³ See Infrastructure Coalition, Petition for Expedited Rulemaking, WT Docket No. 08-61 (May 2, 2008).

⁴ *Remand Order*, 516 F.3d at 1035.

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space is critical to facilitate needed infrastructure deployment and is consistent with the *Remand Order*, FCC regulations and precedent.

Please contact the undersigned with any questions.

Sincerely,

WILKINSON BARKER KNAUER, LLP

/s/ William J. Sill

By: William J. Sill

Craig E. Gilmore

Attachment

cc: John Branscome
Adrienne Denysyk
Jennifer Flynn
Aaron Goldschmidt
Jane Jackson
Don Johnson
Chris Killion
Lee Martin
Paul Murray
David Roberts
Jeffrey Steinberg
Michael Wagner

June 17, 2008 Meeting Participants

Name	Affiliation
John Branscome	FCC/WTB
Adrienne Denysyk	FCC/MB
Jennifer Flynn	FCC/WTB
Aaron Goldschmidt	FCC/WTB
Jane Jackson	FCC/WTB
Don Johnson	FCC/WTB
Chris Killion	OGC/FCC
Lee Martin	OGC/FCC
Paul Murray	FCC/WTB
David Roberts	FCC/MB
Jeffrey Steinberg	FCC/WTB
Michael Wagner	FCC/MB
Ann Bobeck	NAB
Jim Goldwater	NATE
Jacqueline McCarthy	PCIA
Michael Saperstein	PCIA
Andrea Williams	CTIA
Craig E. Gilmore	WBK
William J. Sill	WBK