

October 8, 2008

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
12th Street Lobby, TW-A325
Washington, D.C. 20554

**Re: *Ex Parte Communication*; WT Docket Nos. 04-356 and 07-195;
WT Docket No. 08-165**

Dear Ms. Dortch:

On October 7, 2008, Christopher Guttman-McCabe, Vice President, Paul Garnett, Assistant Vice President, Regulatory Affairs, and Brian Josef, Director, Regulatory Affairs, CTIA – The Wireless Association®, along with Tom Dombrowsky of Wiley Rein LLP, met with Bruce Gottlieb, Legal Advisor to Commissioner Michael J. Copps. On October 8, 2008, the above-mentioned CTIA attorneys met with Renée Crittendon, Legal Advisor to FCC Commissioner Jonathan Adelstein.

During the meetings, CTIA expressed concerns regarding proposed rules for Advanced Wireless Service (AWS) 2 and 3 spectrum in the 1915-1920 MHz, 1995-2000 MHz, and 2155-2180 MHz bands. As explained in the attached presentation, CTIA observed that the proposed rules would create frequent interference to millions of consumers relying upon adjacent AWS-1 and Broadband PCS spectrum. CTIA also clarified the reports by the United Kingdom Office of Communications (“Ofcom”) recently cited to address particular interference concerns between the H Block (1915-1920/1995-2000 MHz) to PCS incumbents (1850-1910/1930-1990 MHz) and AWS-3 (2155-2180 MHz) to AWS-1 (1710-1755/2110-2155 MHz) and Mobile Satellite Service (“MSS”) incumbents. CTIA noted the significant differences in the assumptions used by Ofcom in reaching its conclusions about Frequency Division Duplex (“FDD”) and Time Division Duplex (“TDD”) technical coexistence and assumptions that would be appropriate for an analysis of FDD and TDD coexistence in the United States. CTIA explained that Ofcom has allowed potential licensees flexibility through the license auction process to plan and account for interference in advance and avoid adjacent band FDD to TDD situations through the auction process. CTIA urged the FCC to resolve this proceeding in a manner that provides for fair, open auctions with flexible service rules and protective technical rules.

Finally, CTIA discussed its Petition for Declaratory Ruling to Ensure Timely Siting Review, consistent with points raised in the Petition and the attached presentation.

Pursuant to Section 1.1206 of the Commission's Rules, this letter and attached presentations are being electronically filed with your office. If you have any questions regarding this submission, please contact the undersigned.

Sincerely,

/s/ Brian M. Josef

Brian M. Josef

Attachments

cc: Bruce Gottlieb
Renée Crittendon