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February 11, 2009

**BY ELECTRONIC FILING**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Ari Q. Fitzgerald  
Partner  
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Re: **GE Healthcare *Ex Parte***  
**ET Docket No. 08-59**

Dear Ms. Dortch:

GE Healthcare hereby provides notice of a permitted *ex parte* communication in the above-referenced proceeding. On February 9, 2009, in response to a communication from Fred Moorefield of the Department of Defense, the undersigned, counsel to GE Healthcare, indicated in an e-mail GE Healthcare's interest in engaging in a cooperative examination with the Joint Spectrum Center of the potential for compatibility between primary aeronautical telemetry and proposed secondary MBANS operations in the 2360-2390 MHz band. In addition, the undersigned indicated GE Healthcare's view that the issues for consideration in the 2360-2390 MHz band are sufficiently narrow at this point to warrant a Notice of Proposed Rulemaking ("NPRM") on GE Healthcare's MBANS proposal. The undersigned also noted that cooperative examination can be conducted quickly, with the results placed into the NPRM record. Ronald Repasi and Mark Settle from the Commission's Office of Engineering and Technology were copied on the correspondence.

Out of an abundance of caution, and in accordance with Section 1.1206(b) of the Commission's rules, this letter is being filed electronically with your office.

Sincerely,

/s/ Ari Q. Fitzgerald

Ari Q. Fitzgerald  
Counsel to GE Healthcare

cc: Ronald Repasi  
Mark Settle