



February 24, 2009

Via ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Ex Parte Presentation in: WT Docket No. 07-293, IB Docket No. 95-91, Gen. Docket 90-357, RM No. 8610

Dear Ms. Dortch:

This letter provides notice that on February 23, 2009, Kurt Schaubach and Jennifer McCarthy of NextWave Wireless Inc. and Harold Furchtgott-Roth of Furchtgott-Roth Economic Enterprise met with Renee Crittendon, Legal Advisor for Spectrum & International Matters to Commissioner Jonathan Adelstein regarding the above captioned proceedings.

The parties discussed recent filings in the proceeding, including a video distributed by Sirius XM Radio Inc. purporting to show significant interference from WCS operations to Sirius XM's service during tests conducted by Sirius XM near its facilities in New Jersey. NextWave pointed out that interference demonstrated in this video is inconsistent with the findings of the WCS Coalition in its extensive testing. The WCS Coalition's test results, which show a very low probability of interference from WCS to SDARS, have been submitted to the Commission as part of this proceeding. Given that Sirius XM did not provide detailed technical information regarding its test configuration and implementation, NextWave indicated that it is not able to identify the flaws with the testing in the video that NextWave suspects are the cause for the dramatically different results. As such, NextWave recommended that the Commission ask Sirius XM to repeat the testing as soon as practicable so that staff from the FCC's Office of Engineering and Technology and members of the WCS Coalition may witness and thoroughly examine the test conditions and parameters.

Respectfully submitted,

/Jennifer M. McCarthy/

Jennifer M. McCarthy
Vice President, Regulatory Affairs
NextWave Wireless Inc.

Cc: Renee Crittendon