

May 8, 2009

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) and Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band (IB Docket No. 95-91)*

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 yesterday, Kurt Schaubach and Jennifer McCarthy of NextWave Broadband, Inc. and Paul Sinderbrand of Wilkinson Barker Knauer, and I met on behalf of the WCS Coalition with Julius Knapp, Ron Repasi, Walter Johnston, Patrick Forster, and Robert Weller of the Office of Engineering and Technology, James Schlichting, Roger Noel, Jay Jackson, Tom Derenge, Moslem Sawez, Linda Chang and David Hu of the Wireless Telecommunications Bureau, and Robert Nelson, Chip Fleming and Gardner Foster of the International Bureau. Also in attendance were representatives of Sirius XM Radio, Inc. ("Sirius XM").

During the meeting, the parties discussed both the WCS Coalition's upcoming demonstration to Commission staff and Sirius XM regarding coexistence between the Wireless Communications Service ("WCS") and the satellite Digital Audio Radio Service and a repeat, with modifications previously proposed by the WCS Coalition, of the demonstration Sirius XM previously presented to the Commission. In addition, during the course of the meeting the WCS Coalition took issue with the assertion by Sirius XM that any rules adopted in these proceedings to liberalize the WCS out-of-band emissions mask, coupled with a reduction in permissible WCS mobile power levels, must be crafted in a technology-specific manner.

Pursuant to Sections 1.1206(b)(2) and 1.49(f) of the Commission's Rules, this letter is being filed electronically with the Commission via the Electronic Comment Filing System. Should you have any questions regarding this presentation, please contact the undersigned.

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Respectfully submitted,

/s/ Mary N. O'Connor

Mary N. O'Connor

Counsel to the WCS Coalition

cc: Julius Knapp
Jim Schlichting
Robert Nelson
Ron Repasi
Walter Johnston
Patrick Forster
Robert Weller
Roger Noel
Jay Jackson
Thomas Derenge
Moslem Sawez
David Hu
Linda Chang
Chip Fleming
Gardner Foster