



June 1, 2009

Marlene Dortch
Secretary
Federal Communication Commission
445 12th Street, SW
Washington, DC 20554

RE: Notice of Oral Ex Parte Communication
WT Docket No. 02-55, ET Docket No. 00-258, ET Docket No. 95-18

Dear Ms. Dortch:

On Friday, May 29, I met with the following FCC officials regarding the above captioned matter: Rich Chessen, Sr. Legal Advisor for Acting Commissioner Michael Copps, Angela Giancarlo, Sr. Legal Advisor to Commissioner Robert McDowell and by telephone with Rene Crittendon, Legal Advisor to Commissioner Jonathan Adelstein.

I emphasized the importance of meeting the BAS transition date, and detailed the history of the proceeding. I noted that while MSS operators should be allowed to operate in markets that have already been cleared, they should not be allowed to operate in markets that have not yet been cleared. In this regard, MSS operations should remain secondary in these markets. We discussed the technical and logistical problems with “sharing and coordination” in these non-cleared markets. Moreover, MSS operators should not be relieved of the obligation to pay for broadcasters for relocating their systems.

No materials were distributed at this meeting.

Sincerely,

David Donovan