



Shaping the future for birds

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notification of Ex Parte Presentation
WT Docket Nos. 08-61 & 03-187

Dear Ms. Dortch:

On behalf of American Bird Conservancy and Defenders of Wildlife, and in accordance with Section 1.1206(b) of the Commission's Rule, 47 C.F.R. § 1.1206(b), the undersigned hereby submits the instant notice of an ex parte presentation.

On November 20, 2009, representatives of the following conservation organizations and infrastructure coalition met with the General Counsel and members of his staff and staff of the Wireless Telecommunications Bureau. Meeting participants are listed below:

Office of General Counsel and Wireless Telecommunications Bureau

Austin Schlick, OGC
Jane Jackson, WTB
Lee Martin, OGC
Jeffrey Steinberg, WTB
Aaron Goldschmidt, WTB
Nicole McGinnis, WTB
Aliza Katz (via phone), OGC

Conservation Organizations

Darin Schroeder, American Bird Conservancy
Greer Goldman, Defenders of Wildlife/American Bird Conservancy

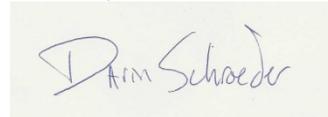
Infrastructure Coalition

Donald Vasek, LMCC
Mike Saperstein, PCIA
William J. Sill, Wilkinson et al
David H. Solomon, Wilkinson et al
Brian Josef, CTIA
Ann Bobeck, NAB
Paul Roberts, ATC

The conservation organizations' participants discussed issues presented in the two open dockets referenced above. In addition, the conservation organizations' participants discussed ways in which the FCC could institute interim measures that modify their Antenna Structure Registration (ASR) program - while simultaneously preparing a programmatic environmental impact statement addressing the impacts of communications towers on migratory birds, their habitats, and the environment - that would allow for an expeditious review of applications of some proposed towers while implementing a more robust analysis of towers that seek to use certain lighting systems, structural designs, or be placed in areas known to have a negative impact on America's native bird species. Conservation organization participants agreed in principle that maintaining a categorical exclusion for existing towers that require minor structural changes due to: administrative changes, ownership changes, dismantling, replacement with no increase in height or a change to lighting system that employs steady-burning lights, could be implemented with likely minor impacts on birds. Conservation organization participants agreed to continue to discuss these matters directly with infrastructure coalition participants and inform the FCC on their progress. Finally, the conservation organization participants urged the FCC staff to contact and support the FAA's conspicuity study of tower lighting systems.

Please refer any questions or correspondence regarding this matter to the undersigned or her colleagues at the meeting.

Sincerely,

A handwritten signature in blue ink on a light green rectangular background. The signature reads "Darin Schroeder" in a cursive script.

Darin Schroeder
Vice President of Conservation Advocacy
American Bird Conservancy