



February 25, 2010

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

Ex Parte Notice

In the Matter of Petition for Expedited Rulemaking and Other Relief Filed on Behalf of American Bird Conservancy, Defenders of Wildlife, and National Audubon Society Regarding Commission Implementation of the National Environmental Policy Act, the Endangered Species Act, and the Migratory Bird Treaty Act, WT Docket Nos. 08-61, 03-187.

Dear Ms. Dortch:

On Wednesday, February 24, 2010, Karlen Reed, Senior Regulatory Counsel with the National Telecommunications Cooperative Association (NTCA), met with Jane Jackson, Aaron Goldschmidt, Jeffrey Steinberg, and Jennifer Flynn of the FCC's Wireless Telecommunications Bureau. We discussed issues raised in NTCA's comments filed May 23, 2007 and May 27, 2008 expressing concerns about the above docket.

Specifically, Ms. Reed affirmed NTCA's positions on tower lighting. The Commission should strive to mitigate the regulatory burdens on small business entities under the Regulatory Flexibility Act, 5 U.S.C. § 603, which may arise from new tower lighting and antenna structure registration (ASR) rules. NTCA members have indicated that retrofitting existing towers from red pulsing lights to white strobing lights will cost on average \$10,000 per tower under 350 feet, an amount which is significant to small rural carriers. Measures that will help reduce this burden for small carriers include establishment of exemptions or waiver procedures for small carriers, and allowing a reasonable implementation time for new regulations -- at least one year. Ms. Reed also reiterated NTCA's request that the Commission wait for the FAA conspicuity study to be performed and released before enacting new regulations, to ensure public safety.

The discussions were consistent with NTCA's positions in previously filed comments and pleadings in the above-referenced dockets.

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Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS with your office. If you have any questions, please do not hesitate to contact me at (703) 351-2146.

Sincerely,

/s/ Karlen Reed

Karlen Reed

Senior Regulatory Counsel

Legal and Industry

KR: rhb

cc: Jane Jackson
Aaron Goldschmidt
Jeffrey Steinberg
Jennifer Flynn