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August 10, 2010

Notice of Oral *Ex Parte* Communication

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W. Room TW-A325
Washington, DC 20554

Re: *Improving Public Safety Communications in the 800 MHz Band, et seq.*, WT Docket No. 02-55, ET Docket No. 00-258, ET Docket No. 95-18

Dear Ms. Dortch:

On Tuesday, August 10, 2010, John Culver of K&L Gates LLP and I had a teleconference with Stewart Block and James Bird regarding the above-captioned proceedings.

We discussed the oral argument that took place Thursday, August 5, 2010, before the United States Court of Appeals for the Second Circuit in Sprint Nextel's appeal of the confirmation order in the DBSD bankruptcy case.¹ We reported that the Second Circuit panel indicated at oral argument that it understood the appeal was expedited and said that it intends to issue a decision quickly.² We also reiterated our request that the FCC defer the effective date of any disposition of the DBSD transfer of control application in a manner that ensures the ongoing appeal proceeds to conclusion.

If you have any questions concerning this submission, please contact me.

Sincerely,

Trey Hanbury, Esq.
Director, Sprint Nextel Corporation

¹ A copy of the August 5, 2010 oral argument transcript ("August 5 Oral Argument") was attached as **Attachment A** to a separate Sprint Nextel *ex parte* submission filed on August 9, 2010 in the above-captioned proceedings with respect to a telephone conversation with Commission General Counsel Austin Schlick on August 6, 2010.

² August 5 Oral Argument, at 16:22-17:9.