

WILLIAM K. KEANE
DIRECT DIAL: +1 202 776 5243
PERSONAL FAX: +1 202 478 2160
E-MAIL: kkeane@duanemorris.com

www.duanemorris.com

NEW YORK
LONDON
SINGAPORE
PHILADELPHIA
CHICAGO
WASHINGTON, DC
SAN FRANCISCO
SAN DIEGO
BOSTON
HOUSTON
LOS ANGELES
HANOI
HO CHI MINH CITY
ATLANTA
BALTIMORE
WILMINGTON
MIAMI
PITTSBURGH
NEWARK
LAS VEGAS
CHERRY HILL
BOCA RATON
LAKE TAHOE

MEXICO CITY
ALLIANCE WITH
MIRANDA & ESTAVILLO

June 21, 2012

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

**Re: WT Docket No. 07-293; IB Docket No. 95-91;
GEN Docket No. 90-357; RM-8610
Ex Parte Notice**

Dear Ms. Dortch:

This is to advise that on June 20, the undersigned, together with Steve Baruch representing Lockheed Martin Corporation, Marc Ehudin representing Textron, Dan Hankins, Chairman, Aerospace and Flight Test Radio Coordinating Council ("AFTRCC"), Joseph Cramer, representing The Boeing Company, and Dan Jablonski, Johns Hopkins University Applied Physics Lab, conferred with John Leibovitz, Deputy Bureau Chief, Wireless Telecommunications Bureau ("WTB"); Roger Noel, Chief, Mobility Division, WTB; Tom Peters, Chief Engineer, WTB; and Linda Chang, Associate Division Chief, Mobility Division; and Moslem Sawez, and Paul Moon of WTB, regarding the above-referenced proceeding. (Messrs. Hankins, Ehudin, and Cramer participated by phone.)

The AFTRCC representatives advised that there were three issues of concern to the aviation community: (1) the retention of a requirement that WCS coordinations be done "consistent with ITU-R Recommendation M. 1459," as called for by Rule 27.73; (2) the importance of the upper bands not being used for mobiles and portables in the FDD configuration; and (3) inclusion of fixed station within the coordination regime.

With respect to item (1), the AFTRCC representatives referenced the offer to add the phrase "and good engineering practice" by way of making explicit AFTRCC's intention to coordinate WCS proposals in a reasonable, good faith manner. In that regard, the AFTRCC representatives called attention to AFTRCC's role in negotiating for the aeronautical mobile telemetry ("AMT") community the agreement that recently led to Commission adoption of a secondary allocation for medical body area networks in the upper S-band. This is indicative of

the kind of creative approach to spectrum sharing with which AFTRCC approaches coordination issues.

As to issue (3), AFTRCC urged that fixed stations, which are every bit as powerful as base stations, be coordinated just as the base stations which are a subset of fixed.

As to issue (2), AFTRCC noted that the mobile/portable issue had been addressed satisfactorily in dialogue with AT&T as indicated in the AT&T ex parte filed Monday.

Further, the AFTRCC representatives explained the flight test process and the significance of real-time telemetry stream to safe and successful flight test programs. They noted that most flight testing occurs in daylight and clear air for safety reasons, but that special testing (e.g. for icing) entailed flying toward bad weather.

The parties discussed the locations of flight test centers; the genesis of Recommendation M. 1459 and the fact that it contains a methodology useable for any type of AMT coordination; and AFTRCC's prior successful coordination work with one of the WCS licensees.

The staff asked a number of questions concerning the nature and requirements of aeronautical mobile telemetry ("AMT") operations such as the number of AMT antennas. AFTRCC advised that there were approximately 300, and that the number of antennas was characterized by relatively slow growth over the years. It was also noted that, in a good number of cases, multiple antennas are located at the same location, such that the actual number of sites is less than the number of antennas.

Finally, the AFTRCC representatives advised that they had had initial conversations with AT&T, and that AFTRCC expected those conversations to continue with a particular focus on coordination.

A copy of this ex parte statement is being submitted for the record in the above-referenced Dockets.

Respectfully submitted,



William K. Keane
Counsel for AFTRCC

Cc: John Leibovitz
Roger Noel
Tom Peters
Linda Chang
Paul Moon
Moslem Sawez