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June 28, 2012

VIA ECFS

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

Re: WT Docket No. 07-293; IB Docket No. 95-91; GEN Docket No. 90-357
NOTICE OF ORAL EX PARTE PRESENTATION

Dear Ms. Dortch,

On June 26, 2012, AT&T and Sirius XM met with Julie Knapp, Ron Repasi and Pat Forster, from the Office of Engineering and Technology, and John Leibovitz, from the Wireless Telecommunications Bureau. Representing AT&T were David Wolter, Michael Goggin, Jim Talbot and the undersigned. Representing Sirius XM were Terrence Smith, Craig Wadin and James Blitz.

The purpose of the meeting was to discuss the joint submission made by the parties on June 15, 2012, which provided a package of proposals that, if implemented in full, would enable the adoption of technical rules satisfactory to both parties and allow licensees in the 2.3 GHz Wireless Communications Service (“WCS”) band to exploit the most efficient new mobile broadband standards, including LTE, while limiting the potential interference to satellite radio reception to acceptable levels.

AT&T explained that we anticipated the deployment of a LTE FDD network in the band in 5 MHz bandwidth increments. We also discussed the need for 3GPP to adopt standards for the band, and the opportunity to submit a proposal on the same at the September 2012 3GPP plenary session. If a proposal cannot be presented at that time, the next opportunity would not arise until December 2012. AT&T indicated that it would seek LTE performance standards for the A and the B Block only, and that the proposal would be in 5 MHz bandwidth increments. Per the parties’ proposal, mobile transmit would be prohibited in the C and the D blocks and as such those blocks would not be part of any proposed LTE deployment. However, the C and D blocks would remain available for many other broadband-related applications, including downlinks, fixed operations, and other innovative uses already proposed in this proceeding.

The parties also noted that each component of the joint proposal either is among the proposals put forward in the various Petitions for Reconsideration or is a logical outgrowth of

those proposals or other aspects of the proceeding. For example, AT&T's Petition for Reconsideration includes requests for the removal of the power spectral density limit, the revision of the FDD duty cycle, and the repeal of the limitation on FDD base station operations in the Lower Bands, while Sirius XM's Petition for Reconsideration asks for, among other things, further guidance on what would constitute harmful interference, more detailed interference criteria based on objective parameters, revised coordination requirements, and more stringent limitations on mobile and portable devices to protect SDARS operations in the 2320-2345 MHz Band.

Finally, AT&T discussed its request for modification of the WCS build requirements. As discussed in AT&T's Petition for Partial Reconsideration, WCS licensees will not be able to deploy FDD LTE technology for mobile broadband services in the WCS A and B Blocks within the current build-out deadlines. Even if the rules Sirius XM and AT&T jointly propose are adopted promptly, it will take time to develop standards and equipment before widespread deployment can occur. Moreover, the technical limitations that the May 2010 order imposed on the C and D Blocks severely constrain the services that can be provided over this spectrum and make the Commission's enhanced performance requirements unduly aggressive and more likely to limit than to advance deployment. Accordingly, AT&T has requested a modification in the build requirements consistent with the framework outlined in its June 15, 2012 letter on this issue.

In accordance with Commission rules, this letter is being filed electronically with your office for inclusion in the public record, on behalf of both AT&T and Sirius XM.

Sincerely,

A handwritten signature in black ink, appearing to read 'JM', followed by a horizontal line extending to the right.

Joan Marsh

cc: Julie Knapp
Ron Repasi
Pat Forster
John Leibovitz
James Blitz
Craig Wadin
Terrence Smith