

August 21, 2012

VIA ECFS

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

Re: Amendment of Part 27 of the Commission's Rules to Govern the  
Operation of Wireless Communications Services in the 2.3 GHz Band,  
WT Docket No. 07-293; IB Docket No. 95-91; GEN Docket No. 90-357  
NOTICE OF EX PARTE PRESENTATION

Dear Ms. Dortch:

Attached for submission is a corrected copy of the ex parte letter submitted by AT&T and  
Sirius in these proceedings on August 15, 2012, which was inadvertently dated June 15, 2012.

Respectfully submitted,

/s/ JOAN MARSH  
Joan Marsh  
Vice President – Federal Regulatory  
AT&T Inc.  
1120 20th Street NW, 1000  
Washington, DC 20036

/s/ JAMES S. BLITZ  
James S. Blitz  
Vice President, Regulatory Counsel  
Sirius XM Radio Inc.  
1500 Eckington Place, NE  
Washington, DC 20002

cc: David Goldman  
Courtney Reinhard

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Secretary  
Federal Communications Commission  
445 12th Street, SW  
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**Re: *Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band, WT Docket No. 07-293; IB Docket No. 95-91; GEN Docket No. 90-357***  
**NOTICE OF *EX PARTE* PRESENTATION**

Dear Ms. Dortch:

On Tuesday, August 14, 2012, Joan Marsh, VP Federal Regulatory for AT&T and James Blitz, Vice President, Regulatory Counsel for Sirius XM Radio Inc. met with David Goldman, Legal Advisor for Commissioner Jessica Rosenworcel, and separately with Courtney Reinhard, Legal Advisor for Commissioner Ajit Pai. The purpose of each meeting was to discuss the package of compromise proposals developed by AT&T and Sirius XM to resolve open issues and ongoing disputes in the above-captioned docket. AT&T and Sirius XM jointly submitted this package of proposals to the Commission on June 15, 2012.

We explained that for 15 years, both the Wireless Communications Service (“WCS”) and the Satellite Digital Audio Radio Service (“SDARS”), which share the 2.3 GHz band, have been burdened with technical limitations and regulatory uncertainty. The WCS band has been significantly underutilized since the Commission allocated the spectrum, due to the technical limitations imposed on WCS licensees to protect adjacent band operations and the prolonged efforts to relax those limitations to allow more robust WCS use while protecting SDARS service.

We further explained that while the development of SDARS has not been as constrained by technical rules, the SDARS licensees, now combined as Sirius XM, have endured years of uncertainty building and operating a terrestrial network under Special Temporary Authority, plus the significant uncertainty that the Commission might liberalize the rules governing WCS in a way that would threaten the ability of the nearly 23 million SDARS customers to receive a high-quality, high-availability service.

