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April 18, 2013

By Electronic Filing

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

**Re: In the Matter of Progeny LMS, LLC, Petition for Waiver of
the Rules and Request for Expedited Treatment
WT Docket No. 11-49
Ex Parte Notice**

Dear Ms. Dortch:

On April 17, 2013, the undersigned had a telephone conversation with David Goldman, Senior Legal Advisor to Commissioner Rosenworcel. The purpose of the call was to follow up on and stress the points made at the meeting that the Part 15 Coalition had with Mr. Goldman, which was the subject of a prior *ex parte* filing.¹ In particular, I stressed the need for any action on the Progeny matter to be taken by the Commission rather than by the bureaus on delegated authority. In that regard, I noted that the Progeny matter was not ripe for action, since the record in this proceeding must be augmented with the results of additional testing of Part 15 devices and systems.

¹ Letter from Henry Goldberg, Counsel for the Part 15 Coalition, to Marlene H. Dortch, Secretary, Federal Communications Commission, WT Docket No. 11-49 (filed April 15, 2013).

Marlene H. Dortch
April 18, 2013
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Please direct any questions to the undersigned.

Sincerely,

A handwritten signature in black ink that reads "Henry Goldberg". The signature is written in a cursive style with a large, prominent "H" and "G".

Henry Goldberg
Counsel for the Part 15 Coalition

cc: David Goldman

[Type text]