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May 1, 2013

**Via Electronic Filing**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: WT Docket No. 06-150, WP Docket No. 07-100, PS Docket No. 06-229  
**Ex Parte Notice**

Dear Ms. Dortch:

On April 30, 2013, Zenji Nakazawa and Tom Eng of the Public Safety and Homeland Security Bureau spoke at the Spring Meeting of the Telecommunications Subcommittee of the American Petroleum Institute (“API”), which was attended by various representatives from API member companies, James Crandall of API, and the undersigned as counsel.

During the meeting, API’s comments in response to the Fifth Further Notice of Proposed Rulemaking in the above-referenced proceeding regarding the 4.9 GHz band were discussed. API members urged the Commission to permit critical infrastructure industry (“CII”) entities to access the 4.9 GHz band on a licensed, non-secondary basis. Members stressed that for CII to invest in 4.9 GHz equipment, companies must be ensured that their operations will not be preempted by other users. Meeting participants also encouraged the Commission to consider a coordination approach for the 4.9 GHz band, similar to that used for the Part 101 Multiple Address Service.

Pursuant to Section 1.1206(b) of the Commission’s Rules, 47 C.F.R. § 1.1206(b), a copy of this letter is being filed electronically for inclusion in the public record of this proceeding. Please contact me if you have any questions.

Sincerely,



Greg Kunkle

cc: Zenji Nakazawa  
Tom Eng

Writer’s Direct Access

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