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November 20, 2013

VIA Electronic Filing and Hand Delivery

ACCEPTED/FILED

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

Federal Communications Commission
Office of the Secretary

Re: Re: AT&T's Request for Waiver of Section 22.913 of the Commission's Rules to Permit AT&T to Use a PSD Measurement in the Cellular Bands of a Limited Number of Test Markets, WT Docket No. 13-202

Amendment of the Commission's Rules Governing Radiated Power Limits in the Cellular Radio Service Frequency Bands, RM -11660

Amendment of Parts 1 and 22 of the Commission's Rules with Regard to the Cellular Service, Including Changes in Licensing of Unserved Areas WT Docket No. 12-40, RM-11510

Notice of Ex Parte Presentation

Dear Ms. Dortch:

On Monday, November 18, 2013, Linda Vandeloop, Jeanine Poltronieri, Bill Roughton, and Kimberly King of AT&T met with Roger Noel, Lloyd Coward, Gabriel Ubieta, Moslem Sawez, Denise Walter and Nina Shafran of the Wireless Telecommunications Bureau and with Michael Wilhelm and Brian Marengo of the Public Safety Bureau, to discuss issues related to the matters captioned above. Also joining by telephone for AT&T were Doug Duet, Mike Roden, and Robert Vitanza.

AT&T expressed its view that an NPRM on AT&T's petition for rule change to allow AT&T to use a power spectral density ("PSD") calculation as an alternative to the current ERP ("Effective Radiated Power") measure in the cellular band, filed February 29, 2012, should be issued expeditiously. The Public Notice comment cycle has been closed since June 18, 2012 (RM 11660). The Commission should now issue a Notice of Proposed Rulemaking that will allow for further examination of the proposed rule change. A rule change will allow AT&T and other carriers to roll out latest LTE ("Long Term Evolution") services providing consumers with less latency, faster speeds and better spectral efficiency, thus conserving scarce spectrum resources. A rule change will also promote regulatory consistency by allowing PSD measurement to be used as an alternative to the ERP measurement, as is currently the case with the rules governing PCS and AWS services.

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AT&T also requested that its waiver request (WT Docket No. 13-202, filed on July 22, 2013) to allow AT&T to use a PSD calculation in three South Florida markets as an alternative to the current ERP measure be granted expeditiously. This waiver will allow AT&T to deploy LTE on 800 MHz in South Florida where it is urgently needed. AT&T's filing demonstrated that its proposed PSD power limit in the South Florida area would not increase interference to others operating in the 800 MHz band. And, in fact, no parties expressed concern in response to the FCC's Public Notice asking for comment on the waiver. AT&T expects that any such waiver would be conditioned on the outcome of any rulemaking proceeding undertaken as a result of its petition on the same topic.

The parties also discussed the November 15, 2013 ex parte letter filed in WT Docket No. 12-40, RM 11510 by CTIA, NTCA and Rural Wireless Group. AT&T stated its continued support of revision of the CGSA rules and suggested that parties to the letter and the FCC staff meet in the near future to discuss streamlining the current system.

In accordance with section 1.1206 of the Commission's rules, this letter is being filed electronically with your office for inclusion in the public record.

Sincerely,

/s/Jeanine Poltronieri
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cc: Roger Noel
Lloyd Coward
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