



LAND MOBILE COMMUNICATIONS COUNCIL

February 21, 2014

Via Electronic Filing

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

Re: WT Docket No. 02-55
WT Docket No. 03-66
WT Docket No. 05-62

Ex Parte presentation

Dear Ms. Dortch:

On February 19, 2014, the members of the Land Mobile Communications Council ("LMCC") listed below attended either in person or by telephone a meeting with the staff of the Public Safety and Homeland Security Bureau ("PSHSB") and the Wireless Telecommunications Bureau ("WTB") listed below. The attendees discussed the FCC rules and proposed frequency coordination procedures applicable to the future filing of applications for 800 MHz Expansion Band ("EB") and Guard Band ("GB") spectrum made available as a result of the 800 MHz rebanding proceeding, including a draft Memorandum of Agreement ("MOA") developed by the LMCC to avoid instances of mutual exclusivity in the filing of such applications.

In light of concerns expressed by the FCC staff about conformance of the draft MOA with certain FCC rules governing this spectrum, the LMCC attendees decided to seek LMCC agreement to submit a Petition for Rulemaking in this matter. The proposed Petition would promote prompt and intensive use of these frequencies by limiting eligibility for EB and GB spectrum to incumbent 800 MHz licensees seeking to expand existing system capacity or coverage in a market at least for some period of time. It was suggested that this approach was similar to an industry proposal for the licensing of currently unlicensed Educational Broadband Service spectrum and to the FCC's previous, limited freeze on Industrial/Business 900 MHz spectrum.

This letter is being filed electronically, in accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), for inclusion in the record in these proceedings.

Respectfully submitted,

/s/ *Donald Vasek*

President

cc: Michael Wilhelm, PSHSB
Brian Marengo, PSHSB
Roberto Mussenden, PSHSB
Scot Stone, WTB
Melvin Spann, WTB

LMCC Attendees

In person

Bill Brownlow, AASHTO
Greg Kunkle, API, ENTELEC
Mark Crosby, EWA
Liz Sachs, EWA
Don Vasek, UTC

Via telephone

Michele Farquhar, AAA, AAR
Peter Moncure, AASHTO
Farokh Latif, APCO
Richard Rubino, CSAA
Andre Cote, EWA
Ila Dudley, EWA
Ralph Haller, FCCA, NASF
Ken Sturdevant, FIT
Evan Davis, IAFC
Michelle Fink, IMSA
Ken Keane, MRFAC
Don Andrew, PCIA
Chris Lougee, TIA
Chuck Powers, TIA