



## 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

## Your submission has been accepted

<b>ECFS Filing Receipt - Confirmation number: 2014221083954</b>	
<b>Proceedings</b>	
<b>Name</b>	<b>Subject</b>
02-55	In the Matter of Improving Public Safety Communications in the 800 MHz Band
03-66	Amendment of the Commission's rules to Facilitate the Use of the Universal Licensing System in the 2150-2162 and 2500-2690 MHz Bands
05-62	In the Matter of Amendment of Part 90 of the Commission's rules to Provide for Flexible Use of the 896-901 MHz and Bands Allotted to the Bussiness and Industrial Land Transportation Pool Opposition and Petitions for Reconsideration...
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