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July 19, 2007

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

Re: CC Docket No. 92-297, *Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services*

WT Docket No. 99-327, *Fixed Services at 24 GHz*

ET Docket 95-183, *Amendment of the Commission's Rules Regarding the 37.0-38.6 GHz and 38.6-40.0 GHz Bands*

EX PARTE COMMUNICATION

Dear Ms. Dortch:

On behalf of the Fixed Wireless Communications Coalition (FWCC), pursuant to Section 1.1206(b)(1) of the Commission's Rules, I am electronically filing this written *ex parte* communication.¹

The FWCC supports the various requests for extension of build-out deadlines with respect to the above-listed services.

¹ The FWCC is a coalition of companies, associations, and individuals interested in the Fixed Service -- *i.e.*, in terrestrial fixed microwave communications. Our membership includes manufacturers of microwave equipment, licensees of terrestrial fixed microwave systems and their associations, and communications service providers and their associations. The membership also includes railroads, public utilities, petroleum and pipeline entities, public safety agencies, cable TV and private cable providers, backhaul providers, and/or their respective associations, communications carriers, and telecommunications attorneys and engineers. Our members build, install, and use both licensed and unlicensed point-to-point, point-to-multipoint, and other fixed wireless systems, in frequency bands from 900 MHz to 95 GHz. For more information, see www.fwcc.us.

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The FWCC believes that development in the millimeter wave, wide-area licensed bands occurs best in an environment where the licensees enjoy the opportunity to develop, acquire, and deploy equipment that responds to large scale customer demand.

Any requirement to deploy links, absent customer demand-side requests for links, may prompt licensees to build "defensive, license protection links" that take essential resources away from developing services and equipment that customers may actually need.

The FWCC requests that the Commission take this consideration into account in its deliberations regarding build-out deadlines and license terms.

Respectfully submitted,

Mitchell Lazarus
Counsel for the Fixed Wireless
Communications Coalition

cc: Chairman Kevin J. Martin
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Tate
Commissioner Robert McDowell
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