

To: Louis Libin
E-Mail: louislibin@broad-comm.com
From: John Kennedy
Date: August 24, 2004

Subject: FCC File # 0487-EX-ST-2004

Message:

Dear Mr. Louis Libin:

Pursuant to our telephone conversation today, August 24, 2004, please confirm that if Broad Comm is unable to contact ITFS/MDS licensees and obtain permission to use their frequencies, then those frequencies will absolutely not be used.

The items indicated above must be submitted before processing can continue on the above referenced application. Failure to provide the requested information within 30 days of August 24, 2004 may result in application dismissal pursuant to Section 5.67 and forfeiture of the filing fee pursuant to Section 1.1108.

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Responses to this correspondence must contain the Reference number : 3181