



November 9, 2017

Ex Parte

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

Re: Media Bureau Seeks Comment on Joint Petition for Rulemaking of APTS, AWARN Alliance, CTA, and NAB Seeking to Authorize Permissive Use of The “Next Generation” TV Broadcast Television Standard; Spectrum Bands above 24 GHz, GN Docket 16-142, GN Docket 14-177

Dear Ms. Dortch:

On November 7, Paula Boyd, Senior Director, U.S. Government and Regulatory Affairs, and Michael Daum, Director of Technology Policy, both of Microsoft Corporation, spoke by phone with Louis Peraertz, Senior Legal Advisor to Commissioner Clyburn, regarding the Spectrum Frontiers proceeding. On November 8, Ms. Boyd and Mr. Daum spoke by phone with Alison Nemeth, Media Advisor for Chairman Ajit Pai, and Holly Saurer, Acting Legal Advisor for Commissioner Clyburn, regarding the ATSC 3.0 Further Notice of Proposed Rulemaking (“FNPRM”) draft.

In the November 7 meeting, Microsoft: (1) expressed support for the Commission’s position reaffirming its decision to permit unlicensed operations in the 64-71 GHz band, and for allowing the use of unlicensed devices on aircraft in the 57-71 GHz range; (2) agreed with the Commission’s decision not to authorize licensed services in 71-76 GHz range; (3) suggested that the FCC seek additional comment and further consider allowing indoor use for unlicensed technologies in the 71-76 GHz range; (4) clarified its comments regarding HAPS operations in the 47 GHz band; and (5) requested that the Commission not eliminate the possibility of use-or-share provisions across the 37-40 GHz range at this time. The Commission should consider a use-or-share policy concurrently with its consideration of sharing mechanisms in the 37.0-37.6 GHz band and any operability requirements across the 37-40 GHz range.



In the November 8 meetings, Microsoft asked that the ATSC 3.0 FNPRM better reflect the record on whether broadcasters need additional spectrum to complete the transition.¹ For example, the National Association of Broadcasters in their initial petition² as well as in a recent news release,³ has stated that additional spectrum is not needed to enable the transition, but the draft FNPRM does not reflect these facts, or explain how permitting simulcasts on White Spaces would be consistent with these facts.

Pursuant to the FCC's rules, I have filed a copy of this notice electronically in the above-referenced dockets. If you require any additional information, please contact the undersigned.

Sincerely,

/s Paula Boyd

Paula Boyd
Senior Director
U.S. Government and Regulatory Affairs

cc: meeting participants

¹ *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, Report and Order, Further Notice of Proposed Rulemaking, FCC-CIRC1711-08, GN Docket No. 16-142, ¶ 126 (updated Nov. 3, 2017)
http://transition.fcc.gov/Daily_Releases/Daily_Business/2017/db1026/DOC-347455A1.pdf.

² *Joint Petition for Rulemaking of America's Public Television Stations, The AWARN Alliance, The Consumer Technology Association, and the National Association of Broadcasters*, GN Docket No. 16-142, iii, iv, 3 (filed April 13, 2016).

³ Press Release, National Association of Broadcasters, NAB Statement on Next Gen TV Order on FCC November Agenda (Oct. 27, 2017)
<https://www.nab.org/documents/newsroom/pressRelease.asp?id=4268>.