



November 29, 2018

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Notice of Ex Parte Communication, ET Docket No. 04-186

Dear Ms. Dortch:

On November 27, 2018, the undersigned of the National Association of Broadcasters (NAB) spoke by telephone with Alison Steger of Chairman Pai's office. During the call, I discussed NAB's petition for reconsideration of the Office of Engineering and Technology's (OET's) approval for Nominet UK (Nominet) to operate its television white spaces (TVWS) database system to provide service to the public.¹ Since NAB filed its petition, Nominet has claimed that it has fixed all of the issues with its data.²

This is not the first time Nominet has made that claim. In response to previous errors NAB identified, Nominet asserted in August that it had "addressed each technical issue" with its database and would "continue to exercise rigorous ongoing oversight of its database."³ At the time it made that commitment, Nominet apparently had incorrect channel information for at least 200 full power television stations in its database.⁴

The Commission should not simply take Nominet's word on this subject given the scope of the problems NAB identified. Instead, the Commission should undertake a comprehensive review of Nominet's database to verify that the database is correctly identifying available channels for TVWS operations.

¹ *Office of Engineering and Technology Announces the Approval of Nominet UK's White Space Database System for Operation*, Public Notice, ET Docket No. 04-186, DA 18-966 (Sept. 19, 2018).

² Reply of Nominet to the Petition for Reconsideration of the National Association of Broadcasters, ET Docket No. 04-186 (Nov. 14, 2018).

³ Reply of Nominet at 2, ET Docket No. 04-186 (Aug. 23, 2018).

⁴ Petition for Reconsideration of the National Association of Broadcasters at 3-4, ET Docket No. 04-186 (Oct. 19, 2018).

The Commission should also re-evaluate its procedures for certification to determine how it originally certified a database administrator that had committed potentially catastrophic errors. NAB was forced to spend significant time and resources conducting a review of Nominet's database both because Nominet did not understand the Commission's databases and systems and because the Commission's existing procedures did not uncover widespread errors.

The TVWS database is the only means for preventing harmful interference to broadcasters. The Commission cannot responsibly rely on Nominet's trial and error approach to database certification and should not force broadcasters to clean up after database administrators to protect licensed broadcast operations.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Patrick McFadden", with a long horizontal flourish extending to the right.

Patrick McFadden
Associate General Counsel,
National Association of Broadcasters

cc: Alison Steger