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October 28, 2014

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BY ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

Re: In the Matter of Expanding the Economic and Innovation Opportunities of
Spectrum Through Incentive Auctions, GN Docket No. 12-268
NOTICE OF ORAL EX PARTE PRESENTATION

Dear Ms. Dortch:

On Friday, October 24, 2014, Preston Padden, Executive Director of the Expanding Opportunities for Broadcasters Coalition (the “Coalition”), Eric DeSilva of Wiley Rein LLP, on behalf of the Coalition, and six representatives of the licensees of auction-eligible television stations¹ met with Gary Epstein (IATF Chairman), Howard Symons (IATF Vice Chairman), AJ Glusman (IATF), Evan Kwerel (IATF), Sasha Javid, (WTB), Jonathan McCormack (WTB), Martha Stancill (WTB), Brett Tarnutzer (WTB), Mary Margaret Jackson (MB), William Scher (OGC), and Ilya Segal (Stanford University, on behalf of IATF). Participating by phone were Richard Bodorff of Wiley Rein LLP, on behalf of the Coalition, Melissa Dunford (WTB), and five representatives of the licensees of auction-eligible television stations.

The Coalition representatives expressed their gratitude for the extensive efforts that the FCC staff has made since the Report and Order to progress toward a successful incentive auction. The Coalition representatives noted that the reaction to the agency’s recent release of the “Greenhill Book” has been generally positive and encouraged staff to seize upon that momentum by continuing to release information that will allow broadcasters to fully evaluate the opportunity presented by the auction. Examples of such additional information include the formula for the

¹ Pursuant to the Media Bureau’s February 28, 2014 public notice (DA 14-268), broadcast participants may participate in meetings with Commission staff to discuss incentive auction matters without disclosing their identities. Together, the broadcast participants own both full power and Class A television stations in a number of markets, including stations in several of the ten largest DMAs.



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adjustment factors used in computing the prices in the Greenhill Book, the formula for any adjustment factors to be used in the auction, and the methodology for deriving opening offers. At the same time, the Coalition representatives warned that the Commission should not interpret broadcaster interest to mean that there will be significant participation come the auction; rather, the FCC must continue to expand its outreach efforts and offer opening prices well in excess of the Greenhill Book prices to achieve a competitive reverse auction in which the most possible spectrum is reallocated for mobile broadband use.

The participants discussed the agency's plan to use Dynamic Reserve Pricing to ensure that it can offer high prices to all broadcasters, including those in potentially "impaired markets" where spectrum demand is likely to outweigh supply.

Finally, the participants discussed additional steps that the FCC can and must take to provide broadcasters with confidence in the reverse auction. Specifically, the Coalition representatives encouraged the Commission to release additional details about the domain/interference tables and the auction simulations that the agency has been conducting. The Coalition representatives also encouraged the Commission to release the auction software for testing as soon as possible so that interested parties can familiarize themselves with the software and detect any issues well in advance of the auction.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Ari Meltzer".

Ari Meltzer
Counsel to the Expanding Opportunities for Broadcasters Coalition

cc (via e-mail):

Gary Epstein, Howard Symons, Melissa Dunford, AJ Glusman, Mary Margaret Jackson, Evan Kwerel, Sasha Javid, Jonathan McCormack, William Scher, Ilya Segal, Martha Stancill, Brett Tarnutzer