



December 5, 2014

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
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 *Ex Parte* Communication

Dear Ms. Dortch:

On December 4, 2014, Rick Kaplan, Victor Tawil, Bruce Franca, Robert Weller and the undersigned of the National Association of Broadcasters (“NAB”) had a telephone conference with Matthew Berry, Chief of Staff for Commissioner Pai.

During the call, NAB explained that, while it appreciates the elements purportedly included in the Commission’s optimization, the Commission’s ultimate use of optimization is likely to prove fruitless. If the Commission remains intent on conducting optimization only *after* the auction, it will have greatly limited its ability to apply optimization factors, as it will have already backed itself into a sub-optimal corner. Even the best optimization techniques can do little to help at that point in the auction – it is the equivalent of calculating the shortest driving distance between Washington and Florida only after one has already driven to Chicago.

The FCC has other, very viable, options to reduce the negative impact of repacking on broadcasters while still conducting a successful auction. The Commission has unfortunately refused to consider optimization *between* rounds, which is one simple and effective manner of driving towards a more optimal solution.

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Please direct any questions concerning this matter to the undersigned.

Respectfully submitted,

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

Patrick McFadden
Vice President Spectrum Policy
National Association of Broadcasters

cc: Matthew Berry