



July 13, 2015

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

Re: Notice of Ex Parte Communications,

Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, GN Docket No. 12-268;
Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002, AU Docket No. 14-252

Dear Ms. Dortch:

On July 9, 2015, I met with Roger Sherman, Gary Epstein, Howard Symons, Sasha Javid, and John Leibowitz, with regard to the above captioned proceeding.

I expressed my appreciation for the complexity of the problem with regard to addressing the desire by carriers to minimize the overall level of impairment, coupled with the additional restrictions placed by statute and by previous design decisions (dictated by additional complex interrelated factors). As a result, the full nature of the problem has not become apparent until recently. I also expressed appreciation for the Auction Team's willingness to discuss the assumptions in the models and their impact in detail.

That said, I continue to express my concern that placing broadcasters in the duplex gap would significantly impact the ability to develop next generation Wi-Fi using the TVWS. As the Commission noted in the 2014 Framework Order, the certainty of three usable channels in every market nationally for TVWS will encourage investment and deployment in the band. Even if the total number of markets impacted is relatively low, this will deprive millions of Americans of the full benefits of next generation Wi-Fi devices that will exploit this band. The loss of this market may also reduce investment and delay deployment, contrary to the public interest.

The Commission should therefore consider other options to eliminate the need to put a broadcaster in the duplex gap. Doing so does not invariably mean that the Commission would give up the possibility of recovering 84 MHz or more of spectrum. Indeed, it is ultimately more beneficial for TVWS to recover a clearing target of 108 MHz or 114 MHz, as this would create additional guardband space for TVWS and wireless microphone use.

Additionally, I noted that the duplex gap is the means to the end of securing three channels in every market. To the extent that the Commission expands the vacant channel capacity post-repacking, this would mitigate the loss of the duplex gap in the specific markets in question.

In accordance with Section 1.1206(b) of the Commission's rules, this letter is being filed with your office. If you have any further questions, please contact me at (202) 861-0020.

Respectfully submitted,

/s/ Harold Feld
Senior Vice President
PUBLIC KNOWLEDGE

cc: Roger Sherman
Howard Symon
Gary Epstein
John Leibowitz
Sasha Javid