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July 17, 2015

**VIA ELECTRONIC FILING**

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

Re: EX PARTE NOTICE:

Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, GN Docket No. 12-268; Policies Regarding Mobile Spectrum Holdings: Comment Sought on Competitive Bidding procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002, AU Docket No. 14-252; Promoting Spectrum Access for Wireless Microphone Operations, GN Docket No. 14-166; Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, ET Docket No. 14-165

Dear Ms. Dortch :

On July 15, 2015, Mark Brunner, Senior Director, Global Brand Management, Edgar C. Reihl, Director, Spectrum Strategy with Shure Incorporated ("Shure") and Catherine Wang of Morgan, Lewis & Bockius LLP met by telephone with Valery Galasso, Advisor to Commissioner Jessica Rosenworcel in connection with the above-captioned proceedings. We discussed the harmful impact that the impending dramatic reduction of available UHF spectrum will have on wireless microphone operations. In particular, we urged the Commission not to adopt its recently announced plan to assign TV stations in the duplex gap spectrum. That action, if taken, would eliminate critically needed spectrum in major markets leaving absolutely no interference-free exclusive UHF spectrum available to support essential licensed wireless microphone operations, particularly those used in emergencies and breaking newsgathering. Such an abrupt change of plans is directly contrary to the Commission's earlier announced plan to designate 4 MHz of the nationwide duplex gap for licensed wireless microphones and enable unlicensed wireless microphones to operate in the 6 MHz of spectrum shared with other unlicensed devices in the duplex gap.

By way of context, we explained that, today, wireless microphones are an integral part of broadcasting, news, music, sports, theater, civic, and corporate events among other productions. Wireless microphones are essential to the coverage and operations of large events including, for example, the Olympics and political conventions, as well as events held every day in businesses, theaters, music concerts, religious institutions and education institutions, among other contexts. Wireless microphones play an essential role in the coverage of breaking news and emergencies and thus are part of the “first responder” team. Growing demand in these applications is addressed by increasingly challenged users in the professional audio wireless microphone community some, but not all, of which are eligible for licensing and database registration protection under the Commission’s current rules.

Wireless microphones have successfully shared UHF spectrum with TV broadcasting for decades and more recently with white space devices. We explained, however, that the wireless microphone community has suffered a dramatic loss of available UHF spectrum by virtue of the Digital Television Transition and the Commission’s relatively recent decision to transition wireless microphones out of the 700 MHz which caused many users to replace their 700 MHz equipment with 600 MHz UHF equipment, at the encouragement of the Commission, just a short time ago.

Even before the Incentive Auction rules were proposed, we explained that wireless microphone manufacturers and users had been working diligently to adjust to the reductions in UHF spectrum -- the principal spectrum home of wireless microphones -- and to co-exist with new white space devices operating in the same spectrum. Licensed users are registering for protection in the geolocation database. Spectral efficiency has increased. Less demanding wireless microphone users have taken advantage of non-UHF frequencies. However, the wireless microphone community experienced yet another major blow when the Commission earlier announced the Incentive Auction rules would eliminate the two reserve channels that were specifically created in the white spaces proceeding to ensure that even after the introduction of white space devices, wireless microphones would always be assured access to some minimum of interference-free channels that could support both licensed and unlicensed wireless microphones.

Access to more UHF and other spectrum is critically needed. We explained that the proposed decision to assign a TV station in the duplex gap is especially burdensome given that assignments will likely occur in major metropolitan markets effectively removing access to *all* interference-free UHF spectrum exclusively available for licensed wireless microphones in those markets. This decision will be particularly harmful to ENG and newsgathering operations in which the urgent time-pressed nature of the operation prevents licensed users from taking advantage of protection from registration in the database.

We discussed our view that the supplemental frequencies proposed in the microphone docket (ET Docket No. 14-166) *may* be helpful but this approach is at best a *limited* and *long-term* solution to the Commission’s announced plan to dramatically shrink access to interference-free

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UHF spectrum and in some markets eliminate such access. We highlighted that the vast majority of the proposed supplemental wireless microphone spectrum bands is encumbered with incumbent operations, that none of the terms and conditions of operations (including sharing schemes suitable for the high demands of professional microphone users) have been determined, and, as a result, no new technology can currently be deployed to utilize the spectrum and that the process to do so is itself a multi-year endeavor.

We emphasized that there simply is no “bridge” available for the many productions that rely on wireless microphones across many different sectors to discard their working 600 MHz equipment -- equipment recently purchased just a few short years ago after the 700 MHz “transition” -- and purchase new equipment using other non-UHF spectrum. In these circumstances, it is disingenuous at best to suggest that the wireless microphone community can simply turn to future spectrum prospects for relief from the dramatic, and ever-worsening, reduction in available UHF spectrum. In addition, we explained that proposals for supplemental wireless microphone spectrum effectively leave out a significant portion of the professional wireless microphone community -- those that are not eligible for licensing because they do not “routinely use 50 or more wireless microphones” as required for licensing under the Commission’s rules.

We stated our continuing willingness to work with the Commission and provide information that may be useful as the staff addresses these challenging issues.

Sincerely,

/s/

Catherine Wang

cc:

Valery Galasso