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July 31, 2015

EX PARTE VIA ECFS

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

Re: Amendment of Part 15 of the Commission’s Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37, and Amendment of Part 74 of the Commission’s Rules for Low Power Auxiliary Stations in the Repurposed 600 MHz Band and 600 MHz Duplex Gap (ET Docket No. 14-165); Promoting Spectrum Access for Wireless Microphone Operations (GN Docket No. 14-166); Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions (GN Docket No. 12-268)

Dear Ms. Dortch:

On July 30, 2015, the undersigned, representing AT&T, spoke by phone with Erin McGrath, Legal Advisor to Commissioner O’Rielly. The discussion focused on the FCC’s proposed placement of wireless mics and TV white space devices (TVWS) in the guard bands and duplex gap, and the limitations that need to be in place to prevent harmful interference to licensed 600 MHz mobile broadband services. I noted that limitations are critical for compliance with the Spectrum Act, which emphasizes that the “Commission may not permit any use of a guard band that the Commission determines would cause harmful interference to licensed services.”¹ The presentation attached to CTIA’s March 11, 2015 ex parte was used to facilitate the discussion.²

In particular, I referenced the V-Comm testing submitted by CTIA that demonstrated the need to establish more stringent OOB limits and frequency buffers between licensed and unlicensed services than those proposed by the Commission. In order to meet the plain language of the Spectrum Act, V-Comm found that the

¹ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6407(e) (codified at 47 USC §1452), 126 Stat. 156 (2012) (“Spectrum Act”).

² See Letter from Krista Witanowski, AVP, Regulatory Affairs, CTIA-The Wireless Association, to Marlene H. Dortch, Secretary, Federal Communications Commission, GN Docket No. 12-268 (Mar. 11, 2015).

Commission should: (1) adopt an OOB limit of -89 dBm/100 kHz into the licensed downlink spectrum band, (2) modify its duplex gap proposal to provide a five megahertz buffer between licensed downlinks and white space devices operating at up to 40 milliwatts, (3) modify its duplex gap proposal to provide a five megahertz buffer between licensed downlinks and wireless microphones operating at up to 20 milliwatts, (4) modify its guard band proposal to provide a nine megahertz frequency buffer between licensed downlinks and wireless microphones, and (5) limit transmit power to 5 milliwatts for white space devices in the guard band and permit such operations only when five megahertz away from licensed downlinks.³

This letter is being filed electronically with the Secretary for inclusion in the public record.

Sincerely,

A handwritten signature in black ink, appearing to be 'JM', followed by a horizontal line extending to the right.

Joan Marsh

cc: Erin McGrath

³ See Letter from Krista Witanowski, AVP, Regulatory Affairs, CTIA-The Wireless Association, to Marlene H. Dortch, Secretary, Federal Communications Commission, GN Docket No. 12-268 (Feb. 27, 2015).