



July 31, 2015

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, GN Docket No. 12-268; Policies Regarding Mobile Spectrum Holdings, WT Docket No. 12-269; Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002, AU Docket No. 14-252; Amendment of Parts 15, 73 and 74 of the Commission's Rules to Provide for the Preservation of One Vacant Channel in the UHF Television Band For Use By White Space Devices and Wireless Microphones, MB Docket No. 15-146; Notice of *Ex Parte* Communication

Dear Ms. Dortch:

On July 30, 2015, the undersigned of the National Association of Broadcasters (NAB) had a telephone conference with Matthew Berry of Commissioner Pai's office. During this call, I discussed the consequences of the Commission's proposal to relocate television stations in the duplex gap, which will eliminate both the guaranteed nationwide channel for unlicensed uses and the very limited remaining reserved spectrum available to broadcasters to cover critical news events. I also emphasized that the Commission should not treat low power and translator stations as a solution to the proposed impairment of the duplex gap by reserving a second channel in the television band for unlicensed users.

While NAB remains opposed to impairing the duplex gap, we have offered to accept Chairman Wheeler's public statement that duplex gap impairments would affect no more than six markets.<sup>1</sup> NAB proposed first that the Commission be permitted to impair up to six markets with one television station each – and that no more than one of these impaired markets should be among the Top 25. Second, NAB proposed that, once the clearing target is established, the Commission may not add any new television impairments in the wireless band, whether it be to the guard bands, duplex gap or downlink/uplink. Thus, if a volunteering station elects to drop out of the auction and cannot be repacked in the

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<sup>1</sup> Letter from Rick Kaplan to Marlene H. Dortch, GN Docket No. 12-268, WT Docket No. 12-269, AU Docket No. 14-252 (July 21, 2015).

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broadcast portion of the band, the Commission must buy that station at its last accepted price.

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,  
Legal and Regulatory Affairs  
National Association of Broadcasters

cc: Matthew Berry