



November 23, 2004

Via Electronic Filing

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

**Re: MM Docket No. 99-325
Presentation of National Public Radio, Inc.
Ex Parte Notice**

Dear Ms. Dortch:

Pursuant to Section 1.1200, *et seq.*, of the Commission's Rules, National Public Radio, Inc. ("NPR") hereby notifies the Commission of the following *ex parte* presentation in the above-referenced proceeding.

On November 22, 2004, Mike Starling, NPR Vice President for Engineering, Mike Riksen, NPR Vice President for Government Relations, and the undersigned met with the following Commission staff: Ken Ferree, Mary Beth Murphy, Steven Broeckaert, Peter Doyle, Ben Golant, Susan Crawford, Ann Gallagher, Bob Ratcliffe, and Jim Bradshaw, all of the Media Bureau. The purpose of the meeting was to seek immediate Bureau authorization of digital audio multicasting, subject to the eventual resolution of the service issues raised in the Further Notice of Proposed Rulemaking ("Further Notice") in the above-referenced proceeding.

NPR provided an overview of station interest in digital audio multicasting, of Congressional appropriations and of grants by the Corporation for Public Broadcasting ("CPB") to stations for conversion to digital audio broadcasting ("DAB"). Stations are converting to DAB in large numbers, and Congress and CPB have committed substantial funds to stations' DAB conversion, principally because of the multicasting capability of the iBiquity Digital HD technology. Among other things, a Bureau authorization would enable transmitter manufacturers to offer and stations to receive DAB conversion funding to implement technology that both facilitates multicasting and reduces station costs.

NPR also discussed the need for a multicasting authorization so that consumer electronics receiver manufacturers can begin large scale production of radio receivers capable of receiving a station's multiple audio program services. The annual Consumer Electronics

Marlene H. Dortch
Secretary
Federal Communications Commission
Page 2

Show ("CES"), which takes place during early January, is the principal venue for receiver manufacturers to unveil their product offerings for the calendar year, and a Bureau multicasting authorization in advance of CES would enable receiver manufacturers to discuss and promote their plans for incorporating multicast functionality into new digital radio receivers.

NPR's Tomorrow Radio® project test results, submitted to the Commission in March 2004, proved the technical viability of subdividing the iBiquity Digital HD Radio 96 kbps data stream into multiple data streams for purposes of broadcasting audio programming. Nothing in the record developed in response to the subsequently issued Further Notice has altered that conclusion. Indeed, additional NPR perceptual testing of iBiquity's HD coder at multiple bit rates demonstrated that as little as 48 kbps is perceived by most listeners as providing equal sound quality to the maximum rate of 96 kbps. NPR submitted the results of this perceptual testing to the Commission on October 20, 2004.

In sum, given the noncontroversial nature of multicasting as a technical matter, as well as the urgency for stations to implement multicasting and for receiver manufacturers to prepare for and commence manufacturing multicast-capable receivers, NPR respectfully suggested that the public interest justifies an immediate Bureau multicasting authorization.

Please direct any questions you may have to the undersigned at 202-513-2050.

Sincerely,

Gregory A. Lewis /s/

Gregory A. Lewis
Associate General Counsel