

8 December 2004

Ex Parte

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

Re: Unlicensed Operation in TV Broadcast Bands, ET Docket No. 04-186; Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, MB Docket No. 03-15; Carriage of the Transmissions of Digital Television Broadcast Stations, CS Docket No. 98-120; Digital Broadcast Content Protection, MB Docket 02-230; TiVoGuard Digital Output Protection Technology, MB Docket 04-63; Compatibility Between Cable Systems and Consumer Electronics Equipment, PP Docket 00-67.

Dear Ms. Dortch:

On 7 December 2004, Craig Mundie and Paula Boyd of Microsoft Corporation, and undersigned counsel, met with Chairman Powell and Christopher Libertelli. During this meeting, they discussed issues related to the DTV transition, to the unlicensed use of the television bands, and to protection of digital content.

Specifically, Mr. Mundie urged the Commission to act promptly to make vacant television channels available for the use of unlicensed devices and to take action to speed the DTV transition. He also suggested that it was important for the Commission to set a firm date by which the DTV transition would be completed.

Mr. Mundie pointed out that spectrum below 1 GHz is important to ensure that rural areas are capable of receiving broadband service. He also noted that in many areas of the world governments were likely to make substantial investments to create wireless broadband networks below 1 GHz, since creating new wired networks would not be cost-effective. He suggested that if the US waited too long to make such spectrum available for wireless broadband, technological

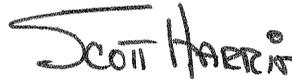
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leadership in this sector could easily move overseas. Finally, Mr. Mundie noted that given the amount of time needed for the development of new devices, delay and uncertainty in the allocation and availability of spectrum for wireless broadband would cause even greater delay in development of consumer devices.

Finally, Mr. Mundie urged the Commission to adopt a self-certification regime for all technologies designed to protect digital broadcast and cable content. This would help to ensure that device manufacturers are able to quickly introduce new devices into the marketplace.

In accordance with FCC rules, we ask that a copy of this letter be filed in the above-captioned dockets.

Sincerely yours,

A handwritten signature in black ink that reads "Scott Harris". The signature is stylized with a long horizontal line above the name.

Scott Blake Harris
Counsel to Microsoft Corporation

cc: meeting participants