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8 April 2005

**Ex Parte**

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

*Re: Unlicensed Operation in the TV Broadcast Bands, ET Docket No. 04-186*

Dear Ms. Dortch:

On 7 April 2005, undersigned counsel for Microsoft Corporation met with Sam Feder, legal adviser to Chairman Martin, to discuss the above-captioned proceeding.

Specifically, I urged that the Chairman make this proceeding one of his top priorities and permit vacant TV channels to be used for unlicensed wireless devices. In doing so, I argued that because of its superior propagation characteristics, a wireless broadband network could be built in spectrum below 1 GHz with roughly one-half of the capital needed to build a similar network in the 2.4 or 5 GHz bands. I also argued that developments in the 5 GHz band plainly demonstrated the ability of wireless device manufacturers to detect and avoid channels that are in use by broadcasters. Finally, I suggested that the record in the proceeding would demonstrate that the expressed concerns of wireless microphone manufacturers should not be an impediment to the use of vacant TV channels for wireless broadband.

In accordance with FCC rules, I ask that this letter be filed in the above-captioned docket.

Sincerely yours,



Scott Blake Harris  
*Counsel to Microsoft Corporation*

cc: Sam Feder