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8 December 2006

Ex Parte

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

Re: Unlicensed Operation in the TV Broadcast Bands, *ET Docket No. 04-186;* IP-Enabled Services, *WC Docket, No. 04-36;* Proposal for Bi-Directional Digital Cable Compatibility and Related Issues *CS Docket No. 97-80;* In the Matter of Comcast's Request for Waiver of 47 FRC 67/1204(a)(1), *CSR-7012-Z.*

Dear Ms. Dortch:

On 7 December 2006, Craig Mundie, Ian Ferrell, Blair Westlake and Paula Boyd of Microsoft met with Chairman Martin, his advisor Michelle Carey, and Catherine Bohigian, Chief of the Office of Strategic Planning and Policy Analysis. During this meeting a brief discussion was held regarding the above-noted dockets.

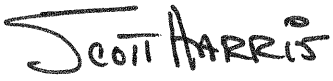
The primary purpose of Mr. Mundie's visit was to highlight the importance of the United States maintaining its international competitiveness and the impact of greater broadband deployment and the development and introduction of new technologies on achieving this goal.

In his discussion, Mr Mundie touched on two policy areas: white spaces and the converging IP network. Specifically, Mr. Mundie indicated that Microsoft strongly supported granting prompt access to the television band white spaces for unlicensed devices (including personal and portable devices), and that there was no technical reason to wait for the digital TV transition. He also indicated that a worthwhile policy approach by the Commission might be to identify and pursue a limited set of core policy objectives such as E911, Universal Service, CALEA, and Network Neutrality. The Commission should pursue these finite set of objectives in a way that takes into account the structure of the IP platform and regulates only where necessary and then only in the most limited manner possible.

In response to questions from the Chairman on cable waivers, Mr. Mundie noted that he, in conjunction with the Comcast and Time Warner CEO's, had outlined a joint approach in 2005 whereby they would personally oversee efforts to more expeditiously resolve issues related to deployment of CableCard-based one-way services, two-way services, and multi-stream CableCards, and plan for downloadable conditional access to work with digital rights management systems in the home. He also noted that there had been success on one-way services, with Windows Vista Ultimate shipping to consumers utilizing CableCard support for one-way services at the end of January, 2007. He expressed an interest in continuing to work towards a solution on the other issues from that 2005 proposal. Mr. Mundie told the Chairman that Microsoft opposed any requirements that cable services be disaggregated and suggested that policies adopted by the Commission should be tailored to the respective video technologies (i.e., cable, DBS, IPTV) since providers may seek to meet the objectives of section 629 in different ways. Mr. Mundie also noted that switched digital technologies may present certain compatibility challenges with existing and planned CableCard deployments and some new work will likely be required in this area as well.

Please let me know if you have any questions about this filing.

Sincerely yours,



Scott Blake Harris

cc: Chairman Martin's Office
Catherine Bohigian