

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of

Unlicensed Operation in the TV Broadcast Bands

ET Docket No. 04-186

**REPLY COMMENTS OF WHITE SPACES COALITION ON THE
OET DTV INTERFERENCE REJECTION MEASUREMENT REPORT**

As the White Spaces Coalition¹ explained in its initial comments, the Office of Engineering and Technology DTV receiver interference report confirms the feasibility of deploying low-power personal/portable unlicensed devices in the television white spaces.² Indeed, OET's analysis indicates that the most likely source of potential harmful interference to DTV receivers will not be a white space device operating under appropriate parameters, but rather another over-the-air DTV broadcast signal.³ In other words, carefully selected rules will ensure that low power personal/portable white space devices can protect DTV receivers capable of rejecting interference from other DTV broadcasts.⁴

With one exception, each of the parties submitting comments on the OET Report has noted the failure of the DTV receivers tested by OET to meet the ATSC Recommended Guidelines, though there is disagreement as to what this means for white space use.⁵ As

¹ The White Space Coalition includes Dell Inc., EarthLink, Inc., Google, Inc., the Hewlett-Packard Company, Intel Corp., Microsoft Corp., and Philips Electronics North America Corp.

² See Comments of the White Spaces Coalition (filed April 30, 2007) at 3-4.

³ *Id.* at 2.

⁴ *Id.*

⁵ *Id.* at 3; Comments of Microtune, Inc. (filed April 30, 2007) at 1 ("Microtune Comments"); Comments of Motorola, Inc. (filed April 30, 2007) at 4 ("Motorola Comments"); Comments of MSTV/NAB (filed April 30,

Microtune has observed, however, the NTIA requires the converter boxes that will play a crucial role in the DTV transition to have minimum performance standards similar to the ATSC Guidelines,⁶ casting doubt on MSTV/NAB's insistence that the Commission should completely disregard these parameters and look solely at "actual performance results."⁷ The Coalition has noted throughout this proceeding that the conservative operating requirements it has proposed for personal/portable devices ensure that current DTV receivers will not receive harmful interference; however, the scope of broadcasters' protection is not—and should not be—defined by the aggregated flaws of receivers that do not even meet the performance bar the industry has set for itself.⁸ With the Commission having decided recently not to pursue receiver standards, it must be even more vigilant in ensuring that interference protection rights are not defined by poorly made receivers.

As Motorola has explained, overly stringent spectrum sharing requirements justified on the basis of DTV receiver protection "will result not only in significantly reducing the amount of spectrum available for TV white spaces operations[,] but also bring[] into question whether the current DTV channel assignment is sufficient to ensure quality reception with interference among the various DTV broadcast stations."⁹ The Coalition shares Motorola's assessment that clearly defining the scope of DTV receiver protection in this proceeding will ensure that DTV receivers continue to mature and provide better interference rejection performance, assuming that the Commission rejects calls from broadcasters to substantially expand interference protection

2007) at 7-8 ("MSTV/NAB Comments"); Comments of the National Cable & Telecommunications Association, Inc. (filed April 30, 2007) at 3 ("NCTA Comments").

⁶ Microtune Comments at 1.

⁷ MSTV/NAB Comments at 8.

⁸ *See, e.g.*, Reply Comments of Dell, Inc., Google, Inc., the Hewlett-Packard Co., Intel Corp., Microsoft Corp., and Philips Electronics North America Corp. (filed March 2, 2007), at 13-14.

⁹ Motorola Comments at 4.

beyond the current rules.¹⁰ Overprotecting poorly performing receivers will serve only to encourage future inefficient receiver design, sacrificing innovative white space uses with nothing to show in return.¹¹

In closing, the Coalition notes that the OET Report comments further illustrate the competing technical claims in this proceeding, underscoring the need for objective, independent Commission testing to arbitrate these claims.¹² The Coalition looks forward to the Commission's confirmation that its proposed operating parameters will protect broadcasters while enabling the new innovative services the Commission seeks to provide using the white spaces.

Respectfully submitted,



Scott Blake Harris
Edmond J. Thomas *
S. Roberts Carter III
Kelley A Shields **

HARRIS, WILTSHIRE & GRANNIS LLP
1200 Eighteenth Street, NW
Washington, DC 20036
(202) 730-1300

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¹⁰ See *id.* at 4-5.

¹¹ Inefficient tuner designs would also magnify the risk of interference to DTV receivers from other broadcasters—a significant issue that MSTV/NAB completely fail to address in their comments.

¹² Shure seeks to delay this proceeding by suggesting that public comment is necessary on the Commission's testing protocol. Comments of Shure, Inc. at 6-7. This is surely not required, nor is it needed. When the Commission's test results are made public, there will be adequate opportunity for public comment on the testing protocol as well as the result.

* Senior Technology Policy Advisor

** Admitted only in Georgia; supervision by Scott Blake Harris, a member of the DC Bar, while DC Bar application pending.