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October 5, 2007

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

Re: ET Docket No. 04-186; ET Docket No. 02-380

Dear Ms. Dortch:

On October 3, 2007, William Check, Ph.D., Senior Vice President, Science & Technology of the National Cable & Telecommunications Association (“NCTA”), Andy Scott, Vice President of Engineering, NCTA, David Large, President, David Large Consultants, Inc. and I met with Julius Knapp, Chief, FCC Office of Engineering & Technology, Alan Stillwell, Senior Associate Chief, and other OET staff to discuss the cable industry’s concerns about the potential for harmful interference to cable channel viewing if unlicensed devices are permitted to operate as currently proposed in unused TV broadcast spectrum (“white spaces”).

We discussed the cable industry’s concerns, as set forth in NCTA’s various comments in this proceeding, regarding the high likelihood that personal, portable TV band devices with high output power will cause harmful interference to cable customers’ viewing of cable channels. We explained that for cable operations, there are no “white spaces,” as cable systems utilize every channel in the broadcast spectrum. We also discussed the special concerns of cable viewers in multi-dwelling units who would have no control over, and may not even know the source of, interference from a portable device operating in a neighboring unit. In light of these issues, we expressed the need to significantly lower the power output level of proposed devices, consistent with the FCC’s Laboratory tests, which closely correlate to the predictions in a technical analysis by David Large Consultants, Inc., attached to NCTA’s March 2, 2007 reply comments. The Laboratory’s direct pickup interference tests demonstrated that proposed devices operating at an effective isotropic radiated power (EIRP) as low as 6.3 dBm (4.26 mW) can cause interference to cable reception.

We also noted that we support certain aspects of the White Spaces Coalition’s proposal, as set forth in their March 2, 2007 reply comments. In particular, we endorse their proposal to preclude portable and fixed devices from operating in channels 2 – 20 and to set the transmit/receive antenna in the device at a maximum of 0 dBi gain. These technical parameters are a significant step toward avoiding harmful interference to cable television reception.

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With regard to avoiding potential direct pickup interference from fixed TV band devices, NCTA discussed the need to ensure that the minimum distance between any fixed 1W unlicensed transmitter and the external wall of a residential building be at least 400 feet, assuming UHF operation only (absent a special showing that greater building attenuation justifies closer spacing). Given lower probable attenuation by building walls, combined with evidence of poorer receiver shielding at VHF (and especially low-VHF) channels, a greater distance will be required to avoid interference if the Commission permits operation on those channels.

In addition, we explained the potential for interference to the reception of broadcast signals at cable headend antenna sites outside major metropolitan areas where signals are received well beyond the predicted Grade B contour of television broadcast stations. Given the lower signal levels in these areas, we pointed out that high-gain antennas often mounted on very high towers are necessary in order to pick up weak distant broadcast signals which can not be detected by the signal sensing mechanism in portable devices operating at ground level. NCTA noted that the Large engineering analysis fully addresses this issue, which is further substantiated by the Laboratory test results on the prototype device. NCTA expressed the need to combine signal sensing with a geo-location database system to mitigate this type of interference.

NCTA also reiterated the cable industry's concern about interference to wireless microphones if high powered portable devices are permitted to operate in close proximity to cable's electronic newsgathering operations and coverage of live sports and entertainment productions.

Finally, we noted that recent tests conducted by the Coalition on the signal sensing capabilities of prototype devices do not address the cable industry's concerns about the impact of white spaces devices with high output power on cable television reception.

Sincerely,

/s/ Loretta Polk

Loretta Polk

Vice President & Associate General Counsel

cc: Julius Knapp
Alan Stillwell