

October 12, 2007

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

Re: ***Ex Parte* Presentation MB Docket No. 07-91 In the Matter of Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television; MB Docket No. 04-186 In the Matter of Unlicensed Operation in the TV Broadcast Bands**

Dear Ms. Dortch:

On October 11, 2007, I met with Commissioner Michael Copps and his legal advisor, Rick Chessen, on behalf of Capitol Broadcasting Company, Inc. We discussed a number of issues addressed in the above-referenced docket, including the following:

- The need to lift the filing freeze currently in place now that the new DTV Table of Allotments has been adopted.
- The need to process construction applications expeditiously, particularly for those stations that are moving to an entirely new post-transition DTV channel.
- The need for regulatory flexibility as broadcasters approach the February 17, 2009 analog cut-off date.

We also discussed the importance of over-the-air broadcasting to the public interest and the potential harm that may be caused by unlicensed devices.

Respectfully submitted,

/s/

Dianne Smith

Marlene H. Dortch
September 27, 2007
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Counsel to Capitol Broadcasting Company, Inc.

cc. Rick Chessen