cable

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October 19, 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 15, 2007, William Check, Ph.D., Senior Vice President, Science & Technology of the National Cable & Telecommunications Association ("NCTA"), Andy Scott, Vice President of Engineering, NCTA, and I met with Aaron Goldberger, Legal Advisor to Chairman Kevin Martin, 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").

Separately, on October 19, 2007, the same NCTA representatives met with Amy Blankenship, Legal Advisor, and Wayne Leighton, Acting Legal Advisor, in Commissioner Deborah Tate's office on the "white spaces" proceeding.

First, we discussed the high likelihood that personal, portable TV band devices with high output power will cause direct pickup 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 expressed the need to significantly lower the output power 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 noted that recent tests conducted by the White Spaces Coalition on the signal sensing capabilities of prototype devices do not address the impact of white spaces devices with high output power on cable television reception.

We also noted that we support the Coalition's proposal, as set forth in their March 2, 2007 reply comments, 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.

With regard to avoiding potential direct pickup interference from fixed TV band devices, NCTA discussed the need to ensure that any 1W fixed device operate at a minimum of 400 feet from the external wall of a residential building, assuming UHF operation only.

Second, 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.

Sincerely,

/s/ Loretta Polk

Loretta Polk
Vice President & Associate General Counsel

cc: Aaron Goldberger
Amy Blankenship
Wayne Leighton