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April 1, 2008

VIA ELECTRONIC FILING

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

Re: Notice of Ex Parte Presentations, MB Docket No. 07-148

Dear Ms. Dortch:

On April 1, 2008, the undersigned, on behalf of the Consumer Electronics Retailers Coalition (CERC), furnished information with respect to the above entitled matter by telephone to Eloise Gore of the Media Bureau and by email to Michelle Carey and Krista Witanowski, Legal Advisors to Chairman Martin, Rick Chessen, Legal Advisor to Commissioner Copps, Rudy Brioché, Legal Advisor to Commissioner Adelstein, Amy Blankenship, Legal Advisor to Commissioner Tate, and Cristina Chou Pauzé, Legal Advisor to Commissioner McDowell. The conversations were in support of the recommendations made in the undersigned's March 17, 2008 *ex parte* letter in the above-entitled matter.

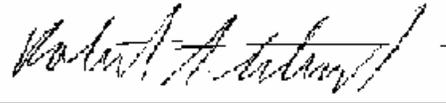
In the referenced communications, the undersigned provided information as to typical shipment periods of private label electronic products from factories if they are located in Asia, based on consultations with some CERC members. The undersigned conveyed that the time from shipment from the factory by standard means to appearance on store shelves is generally 6–9 weeks, with 6–7 weeks being considered optimal. It was noted that longer periods could be possible in the case, *e.g.*, of a product that had been diverted to a factory warehouse rather than shipped upon final assembly, but that this is not typical.

In the undersigned's March 17 *ex parte* letter it was urged that because shipment typically will would take longer than the requested compliance period of 30 days from the Effective date, a rule that would apply to all interstate shipments, whether or not from the factory, would be unworkable because identical products could be in various stages of preparation, shipment, and storage when the regulation becomes effective, with some products having been sealed before the compliance date, but imported for distribution after it. Such an interpretation would appear to place obligations on downstream distributors rather than the manufacturer and hence go well beyond affixing responsibility on the party responsible as the "manufacturer." Such an application of the rule thus would go well beyond the relevant subject matter noticed for public comment in this docket.

April 1, 2008
Page 2

This letter is submitted pursuant to Section 1.1206(b)(2) of the Commission's rules to provide notice of an oral *ex-parte* presentation in the above referenced matter. Copies of the letter and the attachments are being sent by electronic mail to the meeting participants identified above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert S. Schwartz", is written over a horizontal line.

Robert S. Schwartz
Constantine Cannon LLP
CERC Counsel

cc: Chairman Martin
Commissioner Copps
Commissioner Adelstein
Commissioner Tate
Commissioner McDowell
Michelle Carey
Krista Witanowski
Rick Chessen
Rudy Brioché
Cristina Chou Pauzé
Eloise Gore
Monica Desai