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ATTORNEYS AT LAW

August 28, 2008

Ex Parte

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

Re: Unlicensed Operation in the TV Broadcast Bands; Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band, ET Doc. Nos. 04-186 and 02-380

Dear Ms. Dortch:

On August 27, 2008, on behalf of Microsoft Corp., Edmond Thomas and S. Roberts Carter spoke via telephone with Julius Knapp, Bruce Romano, and Alan Stillwell of the Office of Engineering and Technology regarding the above-referenced proceeding.

During this meeting, Mr. Thomas discussed several operating parameters that will be necessary to enable innovative white space uses. Mr. Thomas emphasized that, like Wi-Fi, the white spaces must be made available on an unlicensed basis. Mr. Thomas also noted that a non-exclusive "light licensing" requirement for personal/portable devices would not yield any benefits and would impose unnecessary administrative burdens for the Commission and consumers. In addition, Mr. Thomas observed that, while the Commission could permit the use of geolocation technology for personal/portable devices, its rules must also allow the use of sensing alone to enable transmissions in situations where geolocation is unavailable and/or impractical to implement.

Mr. Thomas also noted that, as OET has confirmed, white space devices will be able to sense incumbent signals well in excess of -114 dBm, but requiring sensitivity beyond -114 dBm would provide incumbents with far greater protection than necessary and increase equipment costs. Finally, Mr. Thomas observed that Microsoft and others have large scale plans for innovative white space uses, but delaying a decision on personal/portable devices would substantially increase the likelihood that technology companies would no longer continue to devote significant resources to white space operations.

HARRIS, WILTSHIRE & GRANNIS LLP

Ms. Marlene H. Dortch
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Pursuant to the Commission's rules, a copy of this notice is being filed electronically in the above-referenced docket. If you require any additional information please contact the undersigned.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Edmond J. Thomas', written over a circular scribble.

Edmond J. Thomas
Senior Technology Policy Advisor

cc: meeting participants