ASSOCIATION FOR **MAXIMUM SERVICE TELEVISION, INC.**

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October 1, 2008

Via Electronic Filing

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

Re: Notice of Ex Parte Communication,
ET Docket Nos. 04-186, 02-380

Dear Ms. Dortch:

On September 30, 2008, David Donovan, Victor Tawil and Bruce Franca of the Association for Maximum Service Television (MSTV) met with Mr. Julius Knapp, Mr. Alan Stillwell, and Mr. Bruce Romano of the Office of Engineering and Technology (OET).

MSTV discussed the results of recent field testing in this proceeding and presented a comprehensive proposal for moving forward. MSTV pointed out that the field results show that all of the tested devices failed to correctly identify whether TV channels were occupied or vacant. The test results also show that the devices could not correctly detect wireless microphone operation. MSTV noted that the field tests raise serious cable interference issues and confirm OET's earlier testing in this area.

MSTV presented a comprehensive solution based on geo-location and a "trusted" data base that will permit both high power fixed rural broadband operation and unlicensed operations while protecting TV viewers, cable TV operations and wireless microphones. The attached power point slides were presented and discussed.

Respectfully submitted,

Bruce Franca
VP, Policy and Technology

cc: Julius Knapp
Alan Stillwell
Bruce Romano

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White Space Proposal

OET Presentation

September 30, 2008

Background

- Broadcasters have supported and continue to support rural broadband deployment
  - Rural broadband deployment is being delayed as FCC waits for White spaces proponents to develop workable technology
  - Personal/portable devices and "sensing" technology are not necessary for the deployment of rural broadband systems

Test Results

- Laboratory and field tests demonstrate that "sensing" is not an effective means of avoiding interference to TV reception or wireless microphones
  - Even in limited laboratory and field tests, all devices failed to accurately detect whether channels are occupied or vacant
- Cable DPU interference was observed in the laboratory and the field

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Solution Possible

- Solution needs to be based on the science and test results
  - A single "one size fits all" approach will not provide solution
- Geolocation (as opposed to sensing) can provide co-channel interference protection to TV viewers
- However, solutions needed for other interference mechanisms:
  - Adjacent channel interference to over-the-air viewers
  - Cable TV DPU interference
  - Continued operation of licensed wireless microphones
- Must have effective interference resolution and enforcement mechanisms

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Solution Framework

- All white space operations based on geo-location and "trusted" database to protect all incumbent operations
  - Protection should include all TV, Class A, LPTV and translator operations, TV production and studios, cable head ends, satellite receive sites, sports and entertainment (such as Broadway) venues, etc.
  - Safe harbor/limited number of TV channels set aside for licensed wireless microphones
  - Beacons are not a viable option to protect wireless microphones used in news gathering

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Solution Framework

- Broadband High Power Fixed Use
  - High power fixed permitted under Part 90 "light licensing" (ala 3650 MHz)
  - No transmission on co- or adjacent TV channels to protect TV viewers (and licensed wireless microphones on adjacent channels)
  - Professional installation/licensing to protect cable viewers
- Part 15 Unlicensed Use
  - No transmission on co-channel TV operation to protect TV viewers
  - Max. 10 mW to protect cable viewers
  - Max. 5 mW on first adjacent to *minimize* interference to TV viewers (Generally, permits device to operate with more power than Motorola proposed calculations)

Summary

- White space solution should include:
  - Geo-location
  - Trusted data base
  - Safe harbor for wireless microphones
  - Interference resolution and enforcement mechanisms
- White space solutions should not include :
  - Sensing
  - Beacon