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October 20, 2008

VIA ELECTRONIC FILING

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

Re: ***EX PARTE NOTICE***
ET Docket No. 04-186; WT Docket Nos. 08-166 and 08-167

Dear Ms. Dortch:

On October 17th, 2008, Shure Incorporated (“Shure”) met with Angela Giancarlo, Legal Advisor to Commissioner McDowell, to discuss Docket No. 04-186. Attending this meeting on behalf of Shure was Mark Brunner, Senior Director, Global Public Relations, along with Catherine Wang of Bingham McCutchen LLP, outside counsel to Shure.

During this meeting, we discussed the Commission’s announcement that the Second Report and Order and Memorandum Opinion and Order addressing unlicensed operation in the television broadcast bands has been tentatively placed on the Commission’s agenda for the next open meeting on November 4, 2008. We also discussed the poor performance of spectrum sensing technology during laboratory and field tests, and the inability of sensing technology to provide meaningful protection for wireless microphone operations against interference from new Part 15 devices.

We discussed how the Commission’s announced decision is a departure from FCC precedent as it disproportionately burdens the incumbent user in favor of an emerging spectrum entrant. In particular, the Commission’s proposed order does not define adequate comparable spectrum, or otherwise provide for an appropriate transition.

As an alternative interference protection plan, Shure reviewed its proposal to use geolocation and protected channels to safeguard incumbent wireless microphone operations from devastating interference. Shure reemphasized the need for adequate protected channels for wireless microphone operations in the core TV bands after the DTV transition. Specifically, at a minimum, Shure noted that 8 protected channels (6 UHF/2 VHF) would be necessary to accommodate small-scale microphone operations for the initial 36 month period following the DTV transition, and 6 protected channels (4 UHF/2 VHF) thereafter. Shure also discussed the requirement for a dynamic geolocation

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database to protect large-scale events, and the need for the Commission's rules to contain specific parameters regarding the operation and implementation of such a database.

The attached earlier submitted presentation providing additional specifics for Shure's wireless microphone protection plan was distributed to staff.

If you have any questions regarding this meeting, please do not hesitate to contact the undersigned.

Very truly yours,

/s/

Catherine Wang

cc (by email): Angela Giancarlo

White Spaces Solutions

Shure Incorporated

September 24, 2008

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Status of Proposed Microphone Solutions

- The extensive record in ET 04-186 shows that spectrum sensing-based technology does not resolve complex interference problems in the “white spaces.”
 - Many incumbents are at risk with sensing: DTV, wireless microphones, medical devices, radio astronomy
 - Poor results of FCC spectrum sensing tests with wireless microphones, DTV
 - Beacons have not been tested
 - Beacons are not a wireless microphone solution – they depend on spectrum sensing and suffer from similar sensing problems

Status of Proposed Microphone Solutions

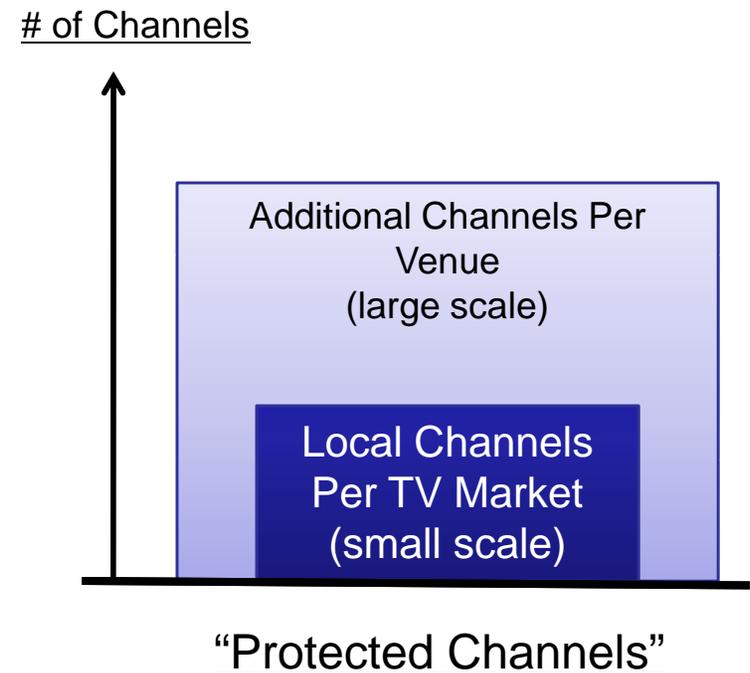
- ❑ So far, the only proposal that would protect wireless microphones is one that keeps adjacent TV channels clear of new unlicensed devices
- ❑ A workable solution is needed to address wireless microphones in the core TV bands and those transitioning from the 700 MHz band

Shure White Spaces Proposal Overview

- A new approach is called for. . .
 - All White Space devices are managed by geolocation and online database technology
 - White Space devices may not operate on Protected Channels identified in the database as either:
 - TV
 - Medical telemetry/radio astronomy
 - Wireless Microphone channels

Shure White Spaces Proposal Overview

- Protected Channels for wireless microphones are comprised of two parts:
 - 1) Locally available VHF and UHF TV channels per market for small scale operations
 - AND --
 - 2) Additional channels registered in the database per venue for large scale operations



Shure White Spaces Proposal Overview

□ Protected Channel details:

- Small Scale operation: Locally available VHF and UHF channels per market
 - For three years following effective FCC order, 6 UHF and 2 VHF channels protected
 - Supports effective 700 MHz transition
 - After three years, reduced to 4 UHF and 2 VHF channels
 - To further conserve spectrum, center UHF protected channels around Channel 37 where available, VHF channels around Channel 11
- Large Scale operation: TV Channels Protected in the Geolocation Online Database per venue
 - Channels in use by wireless microphones at large scale events, limited by the duration and location of event, and are licensed pursuant to updated Part 74 rules.

A Workable Solution for Wireless Microphones

- Public interest requires that the original FCC rules be replaced with a workable licensing scheme that reflects today's wireless microphone use:
 - Update Part 74 licensing to reflect expanded eligibility to cover large scale uses that will be protected by geolocation and online database registration
 - “Licensing by operation of rule” pursuant to Section 307(e) of the Act eliminates cumbersome filing requirements for small scale wireless microphone operations in locally specified protected UHF and VHF channels (similar to medical devices)

A Workable Solution for Wireless Microphones

- This approach provides:
 - Protection that accommodates the different ways wireless microphones are used, e.g., roaming news, sports, smaller uses vs. pre-scheduled, large events
 - Very limited but minimally sufficient interference-free spectrum for microphone use
 - 700 MHz microphone users a much needed path to support transition of 700 MHz band use per WT 08-186
 - Incentives to manufacturers to increase spectrum efficiency over time

A Workable Solution for Wireless Microphones

□ This approach:

- Can coexist with other solutions the Commission may adopt to address interference concerns of other incumbent uses
- Accommodates the Commission's desire to open the TV spectrum to new uses without causing interference to incumbent microphone users
- Can apply with either a licensed or unlicensed approach to new uses of the unassigned TV channels.