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October 24, 2008

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

**Re: Notice of Oral Ex Parte Presentation  
Regarding Docket Nos. ET 04-186 & 02-380**

Dear Ms. Dortch:

This is to report that yesterday, Michael Meece and I met with Wayne Leighton of the Office of Commissioner Deborah Taylor Tate and Michael Meece, Dr. Charles Jackson, Dorothy Robyn, and I met with Bruce Gottlieb of the Office of Commissioner Michael Copps concerning the above-referenced proceedings. During these meetings, we provided Messrs. Leighton and Gottlieb with a copy of a report entitled “Unlicensed TV White Space Wireless Cannot Provide Substantial Rural Broadband Access” authored by Dr. Jackson. A copy of the report is being filed with this letter.

During the meeting, we explained that the report shows that the unlicensed service under consideration by the Commission will not support the provision of broadband in rural areas, contrary to the claims of the advocates of the unlicensed white space. The report compares the coverage from an unlicensed service under the proposed rules to the coverage from a licensed service under the Commission’s rules for paired licensed spectrum in the 700 MHz band. The report shows that the coverage from the licensed service would be as much as twenty times larger than the unlicensed coverage. Even taking into account the propagation of a signal from an unlicensed transmitter in the TV white space, the much higher power which can be used in licensed spectrum to cover wide areas without causing interference makes it vastly superior to an unlicensed service.

We also explained that the report shows that the TV white space is poorly suited to support unlicensed in-home networking, as compared to the existing 2.4 GHz and 5 GHz unlicensed bands. Those existing bands support channel bandwidths of 20 MHz or 40 MHz, but the TV white space is in 6 MHz channels, which will often not be contiguous to one another. The wider contiguous bandwidth in the existing unlicensed bands makes them far superior to the TV white space for in-home networking.

Respectfully submitted,

/s/ Dean R. Brenner

Dean R. Brenner  
Vice President, Government Affairs

Cc: Wayne Leighton  
Bruce Gottlieb