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October 24, 2008

EX PARTE

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

Re: ET Docket Nos. 04-186 and 02-380

Dear Ms. Dortch:

On October 23, 2008, William Check, Senior Vice President, Science & Technology, Andy Scott, Vice President of Engineering, and the undersigned from the National Cable & Telecommunications Association (NCTA), met with Renée Crittendon, Legal Advisor to Commissioner Jonathan S. Adelstein, regarding the above-captioned proceeding. We discussed the findings in the Office of Engineering and Technology's field study regarding direct pickup interference to cable service. The report, released on October 15, 2008, documents the direct pickup interference that was observed at the test sites when the "white spaces" device operating at very low output power levels was placed in close proximity to a television receiver connected to cable. We reiterated our concern that a device operating at 100 mW near a cable-connected television set will cause harmful interference to cable reception in the home, and will be particularly problematic in multi-dwelling unit buildings. We urged the Commission to take full account of the OET report's cable interference findings, which confirmed earlier lab test results, before taking action in this proceeding.

Sincerely,

/s/ Loretta P. Polk

Loretta P. Polk

cc: R. Crittendon