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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 23rd, 2008, Shure Incorporated (“Shure”) met with the Office of Engineering and Technology (“OET”) to discuss Docket No. 04-186. Julius Knapp, Alan Stillwell, Ira Keltz, Geraldine Matisse, Rashmi Doshi, Steven Jones and Thomas Phillips were in attendance on behalf of OET. Attending this meeting on behalf of Shure was Ahren Hartman, Director, Platform Planning, along with Catherine Wang and Tim Bransford 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 (“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 OET Report 08-TR-1005 (“Test Report”), released on October 15, 2008, evaluating the performance of prototype spectrum sensing devices. Specifically, with regard to the Order and Test Report, we discussed the following issues.

- We discussed why the Test Report does not prove that spectrum sensing technology should be authorized by the Commission as a means to protect against white space device interference and why unlicensed devices must be enabled with a geolocation feature in order to protect incumbent operations in the television broadcast bands from harmful interference.
- We noted that wireless microphone users must have access to a geolocation database and limited protected channels to ensure the necessary minimal protections for small- and large-scale operations. Shure reemphasized 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.

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- We discussed situations in which a geolocation database feature is not a practical means of protecting wireless microphone operations such as those used of Electronic News Gathering (“ENG”) trucks deployed on an emergency basis to cover breaking news stories. In such cases, ENG operations should be able to rely on protected wireless microphone channels identified in each local market.
- We urged the Commission to recognize the full battery of Dynamic Frequency Selection (“DFS”) parameters previously advocated by Shure in any FCC rules describing spectrum sensing and in any future tests of spectrum sensing devices, and noted that establishing a sensing threshold alone does not demonstrate meaningful interference protection.
- We noted that a geolocation database must be implemented and debugged before unlicensed devices can be introduced in the television broadcast bands without creating harmful interference to incumbent operations. We also noted that a database must be made available to protect multiple uses and must be dynamically updated in rapid intervals to ensure that itinerant microphone operations are immediately reflected and protected.

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

Very truly yours,

/s/

Catherine Wang
Tim Bransford

cc (by email): Julius Knapp
Alan Stillwell
Ira Keltz
Geraldine Matise
Rashmi Doshi
Steve Jones
Tom Phillips