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October 24, 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:m

On October 24, 2008, on behalf of Shure Incorporated (“Shure”), Andrew Lipman and Catherine Wang of Bingham McCutchen LLP, outside counsel to Shure, met with Commissioner Deborah Taylor Tate and Wayne Leighton, Special Advisor to Commissioner Tate to discuss Docket No. 04-186. 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.

In particular, we discussed the poor performance of spectrum sensing technology during laboratory and field tests and reiterated that spectrum sensing should not be authorized at this time. We restated our support for opening the Commission’s Test report for public comment as well as the need for peer review of the report, as was afforded for the first test report in this proceeding. That comment period and peer review will help to ensure that the Commission’s engineering processes and conclusions are credible and sound. Further, in light of the poor performance of spectrum sensing prototypes, we discussed how it is not appropriate to rely on the promise of future certification tests to ensure that such technology will effectively protect incumbents wireless microphones from interference. We discussed other open issues, including the potentially adverse impact of the Commission’s order on wireless microphone and TV facilities in bordering countries and how smaller uses of wireless microphones, such as electronic news gathering and houses of worship, may be left wholly unprotected if the Commission declines to designate protected channels for wireless microphones in each local TV market.

We reviewed Shure’s alternative interference solution approach, which proposes that wireless microphones be protected by requiring white space devices to use geolocation and link to a dynamic database that identifies adequate protected channels, 6

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UHF/2 VHF channels for the initial 36 month period following the DTV transition, and 4 UHF/2 VHF thereafter. We believe that a plan that identifies far fewer or even no protected channels is not a workable solution for wireless microphones and would provide inadequate protection, making a successful transition unlikely. Shure also discussed the need for a dynamic geolocation database to protect large-scale events and Commission's Rules that provide specific parameters regarding the operation and implementation of such a database.

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): Commissioner Deborah Taylor Tate
Wayne Leighton