

October 27, 2008



Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Re: MB Docket No. 05-312  
ET Docket No. 04-186  
Notice of Oral Ex Parte Presentation

Dear Ms. Dortch:

On October 27, 2008, Harold Feld of the Media Access Project (MAP) spoke with Rudy Brioche', Media Advisor to Commissioner Adelstein, with regard to the above captioned proceedings.

Mr. Feld reviewed the comments filed by New America Foundation, *et al.*, in MB Docket No. 05-312. Mr. Feld said that although the Commission has begun proceedings that address the question of public interest obligations for broadcasters in the digital age, the Commission should not allow broadcasters to receive further spectrum benefits or expand their audience reach without imposition of concrete, measurable public service obligations. In addition, Mr. Feld noted that any additional spectrum rights conveyed to broadcasters should be subject to decision in 04-186, and that broadcasters should not be allowed to expand their signal reach at the expense of users of the white spaces. In particular, Mr. Feld stressed that OET should take considerable care to ensure that the limits of DTS systems match the area of exclusion assigned to an "occupied" channel under the proposed geolocation database.

In accordance with Section 1.1206(b) of the Commission's Rules, 47 CFR §1.1206, this letter is being filed with your office.

Respectfully submitted,

/s/

Harold Feld  
Senior Vice President

cc: Rudy Brioche'