



October 28, 2008

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: ET Docket 04-186

Dear Ms. Dortch:

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this is to notify you that on October 27, 2008, I met with Julius Knapp, Alan Stillwell, Ira Keltz, Geraldine Matise, Hugh Van Tuyl and Robert Weller regarding the above captioned proceeding.

I expressed Motorola's support for the Commission's TV White Space (TVWS) initiative and urged that the Commission forward with adoption of rules on November 4. Based on over four years of debate, testing and analysis, the Commission is well positioned to move forward with rules the enable use of the TV White Spaces on an unlicensed basis while fully protecting incumbent operations.

I also expressed support for use of desired-to-undesired ratios to protect adjacent channel operations. Over the course of the proceeding Motorola has made numerous filings demonstrating that the D/U ratios traditionally used for protecting adjacent channels provides conservative protection and are appropriate in the context of TVWS. This approach permits more efficient use of the TVWS by allowing TVWS devices to vary power depending on the adjacent channel signal strength, thereby permitting power above the proposed 40 mW in areas where the adjacent channel signal strength is strong enough. If the Commission does adopt a single power level for adjacent channel operations, it should not decrease it from the proposed 40 mW given the importance of access to adjacent channels.

In addition, I supported allowing use of tethered mobiles at the same 4W limit proposed for fixed operations. Mobiles tethered wirelessly to a fixed access point can be controlled very similarly to fixed devices and, with the geolocation approach, will fully protect incumbents. Permitting such mobile use will enable a wide variety of needed services, including new broadband options for critical infrastructure providers and enterprises that may operate in areas where no other broadband option exists.

I provided the following draft proposed rule for permitting 4W mobile use based on professional installation and conservative protection requirements.

The maximum power allowed for certification of TVWS devices incorporating geolocation protection mechanisms is 2 W conducted and 4 W EIRP for Fixed and Mobile devices. Mobile devices are those that are professionally installed in a vehicle. Actual operating power levels for all



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such TVWS devices using geolocation protection mechanisms must be dynamically adjusted to meet protection requirements of section ____.

The fixed access point shall determine allowed transmit power levels and channels. The system shall ensure that tethered units operating above 100 mW do not violate protection requirements based on either:

- a) the actual location of the tethered mobile or portable unit, or*
- b) the system area of operation, based on the actual power/height of the fixed access point and the communications range of the associated tethered mobile or portable devices. Unless demonstrated otherwise, the communications range of the base stations shall be calculated based on the XX dBu service contour using the Commission's F(50,XX) curve.*

We also discussed issues related to protection of wireless microphones, including sensing, consistent with previously filed Motorola positions.

Pursuant to the Commission's Rules, one copy of this notice is being filed electronically with the Commission. If you require any additional information please contact the undersigned at (202) 371-6953.

Sincerely,

/s/ Steve B. Sharkey

Steve B. Sharkey
Senior Director, Regulatory and Spectrum Policy

Cc: Julius Knapp
Alan Stillwell
Ira Keltz
Geraldine Matise
Hugh Van Tuyl
Robert Weller