

November 25, 2008

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
12th Street Lobby, TW-A325
Washington, D.C. 20554

Re: *Ex Parte* Communication, Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band, WT Docket No. 08-166; Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary Stations, Including Wireless Microphones, and the Digital Television Transition, WT Docket No. 08-167

Dear Ms. Dortch:

On November 25, 2008, Paul Garnett, Assistant Vice President, Regulatory Affairs and Brian Josef, Director, Regulatory Affairs, CTIA–The Wireless Association®, along with Mark Stachiw of MetroPCS (via teleconference), Patrick Halley of the National Emergency Number Association, Dean Brenner of Qualcomm, Donald Brittingham of Verizon Wireless, and Adam Krinsky of Wilkinson Barker Knauer, LLP (counsel to Verizon Wireless), met with Angela Giancarlo, Chief of Staff and Senior Legal Advisor to Commissioner Robert McDowell.

During the meeting, the parties urged the Commission to act expeditiously to ensure that the use of low power auxiliary stations (“LPAS”), such as wireless microphone systems, in the 700 MHz band does not threaten the future use of important spectrum that will become available with the February 17, 2009 DTV transition. The parties expressed concern regarding the significant risk of interference to both commercial and public safety communications systems caused by the continued use of the 700 MHz band by wireless microphones and other LPAS devices after the transition date.

The parties urged the FCC to issue an order affirming the Commission’s tentative conclusion that this spectrum must be cleared of all LPAS devices.¹ While acknowledging that a comprehensive plan for clearing the spectrum may take time, the parties stressed the importance of an immediate decision prohibiting the manufacture, import, sale, offer for sale or shipment of LPAS devices operating in the 700 MHz band to prevent further devices from entering the market. In addition, they

¹ Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band, *Notice of Proposed Rulemaking and Order*, 23 FCC Rcd 13106 (2008).

asked the Commission to issue a public notice and consumer advisory to alert manufacturers, wholesalers, retailers and consumers that the manufacture and sale of 700 MHz-capable wireless microphones or other LPAS devices is prohibited. The parties also highlighted the continued efforts of numerous sales outlets to sell, often at significant discounts, wireless microphones operating in the 700 MHz bands.² Accordingly, they urged the Commission to expressly require retailers to remove from inventory and store shelves wireless microphones and other LPAS devices capable of operating on the 700 MHz frequencies.

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being electronically filed with your office. If you have any questions regarding this submission, please contact the undersigned.

Sincerely,

/s/ Brian M. Josef

Brian M. Josef

cc: Angela Giancarlo

Attachments

² See e.g., <http://www.hisonic.net/HSU160.htm> (last visited Nov. 18, 2008). See also <http://www.kaitousa.com/wirelessystem.htm> (citing "Special Christmas Sale") (last visited Nov. 18, 2008); http://www.cheapdjgear.us/U_81_LT_p/u-81-lt-fslash-ht.htm (noting special "1/2 price" sale) (last visited Nov. 18, 2008); http://www.atechglobal.com/microphones/vocopro_uhf-5800.html (last visited Nov. 18, 2008).