

GERALD SCHOENFELD
Chairman of the Board

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By Electronic Filing

Chairman Kevin J. Martin
Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Deborah Taylor Tate

FILED/ACCEPTED

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Federal Communications Commission
Office of the Secretary

Federal Communication Commission
445 12th Street, SW
Washington, DC 20554

Re: **Ex Parte Comments of the Broadway League, ET Docket No. 04-186
Introduction of Unlicensed Devices in the "White Spaces"**

Dear Chairman Martin, Commissioners Adelstein, Copps, McDowell and Tate:

I offer these comments as an addendum to my comments which were filed on October 22, 2008 with respect to the FCC Laboratory Division's evaluation of White Space devices dated October 15, 2008 and the FCC's notice of a vote on an order opening the white space spectrum to devices using spectrum sensing technology, scheduled for November 4, 2008. I wish to join the Broadway League's ex-parte filing dated October 21, 2008 and support the National Association of Broadcasters' Emergency Request¹ to stay the vote scheduled to coincide with the Presidential election. I also support the Oct 22, 2008 submission of a letter from Representative Bobby L. Rush, senior member of the Committee on Energy and Commerce and the Subcommittee on Telecommunications and the Internet and author of H.R. 1320, the Interference Protection of Existing Television Band Devices Act. and the October 23, 2008 submission of a letter signed by eight co-sponsors of H.R. 1320 including Carolyn Maloney and Jerrold Nadler of New York.

In addition to my comment regarding due process in my filing of Oct 22, 2008, I wish to call your attention to the remarks delivered October 21, 2008 by Commissioner Deborah Taylor-Tate "United States Broadband Policy: From Sea to Shining Sea" at the Global Forum "COLLABORATIVE CONVERGENCE: Users Empowerment in the Global Digital Economy" held in Athens, Greece with underlining and boldface added, as follows:

¹ Emergency Request, filed by The Association for Maximum Service Television, Inc ("MSTV"), the National Association of Broadcasters ("NAB"), the ABC, CBS, and FOX Television Networks and the Open Mobile Video Coalition ("OMVC"), ET Docket Nos. 04-186 and 02-380, October 17, 2008.

“ It is inspirational to be here in Athens, in the historic Zappeion Mansion. 2,500 years ago, the Athenians initiated a system of government known as democracy. Democracy can be translated to mean “Rule of the people.” In ancient Athens, citizens came together in assembly and faced precisely the same issues societies face today: wars, religion, treaties, finances, and one that is especially on point for this assembly, regulation. **While the citizens of Athens addressed the issues directly, today our citizens address these issues through officials. This includes the regulatory process, where at the Federal Communications Commission we employ notice and comment procedures to ensure public input and perspective.** “

We seek the protection that Commissioner Tate states is already ours, specifically that of “notice and comment procedures.” We seek to ensure our input and perspective in the regulatory process regarding white spaces.

Respectfully,



GERALD SCHOENFELD
Chairman
The Shubert Organization