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## United States Senate

October 31, 2008

The Honorable Kevin Martin  
Chairman,  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W.  
Washington, D.C. 20554

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Federal Communications Commission  
Office of the Secretary

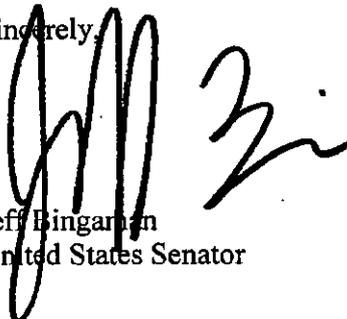
Dear Chairman Martin:

I understand that on November 4, 2008 the Federal Communications Commission is scheduled to consider a draft order in Docket No. 04-186 and 02-380 that outlines the uses of the part of the spectrum known as "television white spaces". As you know, advances in technologies have put a new wave of communications transmitting devices onto the market. Opening up this white space will clearly offer great promise in expanding access and providing consumers new and useful applications for their wireless devices. However, we need to be sure that these new devices don't interfere with existing broadcast technology and work in a complimentary fashion if introduced into the TV band.

I have been contacted by New Mexico constituents, specifically our local broadcasters, expressing concerns that new devices using this space may interfere with established technologies. They refer to the results of the 409 page technical analysis by the Commission's Office of Engineering and Technology that was released on October 15, 2008. Given the complexity of this issue and unresolved questions between major stakeholders, my constituents are urging the FCC to delay the decision and reschedule the November 4 action to a later date. I ask you to give careful consideration to this request for a delay. Further, I urge you to engage in the interim in an active dialogue with the concerned stakeholders to determine whether common ground can be found to open up access to spectrum while addressing interference concerns.

Thank you for your consideration of my request.

Sincerely,



Jeff Bingaman  
United States Senator

<sup>ET</sup>  
Comments in Dockets 04-186, 02-380.

OFFICE OF SENATOR JEFF BINGAMAN  
UNITED STATES SENATE

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RE:

*Chairman Martin*      *Office of Sen. Jeff Bingaman*  
*10-31-08*  
*Docket 4-186 and 02-380*

- URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

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