

January 21, 2009

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 January 21, 2009, Christopher Guttman-McCabe, Vice President, Regulatory Affairs, CTIA–The Wireless Association®, along with George Wheeler of Holland & Knight, LLP (counsel to U.S. Cellular), Patrick Halley of the National Emergency Number Association, Robert Gurss of the Association of Public-Safety Communications Officials, Jim Bugel of AT&T, Donald Brittingham of Verizon Wireless, and Adam Krinsky of Wilkinson Barker Knauer, LLP (counsel to Verizon Wireless), met with Renée Crittendon, Legal Advisor to Commissioner Jonathan Adelstein.

During the meeting, the parties urged the Commission to act expeditiously to ensure that the use of 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.<sup>1</sup> 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. The parties highlighted the

<sup>1</sup> 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).

continued efforts of numerous sales outlets to sell, often at significant discounts, wireless microphones operating in the 700 MHz bands.<sup>2</sup>

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/ Christopher Guttman-McCabe*

Christopher Guttman-McCabe

cc: Renée Crittendon

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<sup>2</sup> 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](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](http://www.atechglobal.com/microphones/vocopro_uhf-5800.html) (last visited Nov. 18, 2008).