



March 5, 2009

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

Re: In the Matter of:

- WP Docket 07-100;
- WT Docket 08-166, WT Docket 08-167;
- WT Docket 06-150, PS Docket 06-229;
- ET Docket No. 04-186, ET Docket 02-380;
- ET Docket 03-201

Dear Ms. Dortch:

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this is to notify you that on March 5, 2009, Steve Sharkey and Kimberly Baum of Motorola met with Paul Murray of Acting Chairman Copps' office, to discuss the above captioned proceedings. With respect to the 4.9 GHz issue raised in Docket 07-100, Motorola emphasized the importance of providing regulatory certainty to fixed links operated by licensees in the band by affording them co-primary status. Motorola urged the Commission to adopt a Report and Order on this matter expeditiously, noting its non-controversial nature.

With respect to the low power auxiliary service device issues (Dockets 08-166 and 08-167), Motorola reiterated its comments in the proceeding, recommending that the Commission move quickly to adopt final rules that implement the Notice of Proposed Rulemaking's tentative conclusions.<sup>1</sup> The operation of uncoordinated, secondary LPAS devices such as wireless microphones is not compatible with wide area wireless networks and, therefore, their further deployment in the 700 MHz band should be prohibited. Taking the steps outlined in the Notice is necessary to protect both critical public safety and commercial networks from harmful interference from incompatible low power devices. Motorola also expressed support for the proposal by CTIA, APCO, NENA and NPSTC that the Commission provide a firm deadline by which LPAS devices in the 700 MHz band must cease operation, recognizing that an earlier deadline would be necessary in cases where a public safety or commercial licensee is already initiating service.<sup>2</sup>

With respect to a potential spectrum etiquette under Part 15 of the Commission's rules (Docket 03-201), Motorola summarized its comments in the proceeding, stating that a mandated spectrum etiquette would

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<sup>1</sup> See Comments of Motorola, WT Docket Nos. 08-166 and 08-167 (filed October 3, 2008).

<sup>2</sup> See Ex Parte Communication of CTIA, APCO, NENA and NPSTC, WT Dockets 08-166 and 08-167 (filed February 23, 2009).

harm existing and future Part 15 products and have a detrimental effect on a wide variety of beneficial services to the public, including broadband services to rural areas.<sup>3</sup> Further, Motorola highlighted that such an approach contradicts the Commission's long standing policy regarding minimal regulation of Part 15 devices in order to foster innovation.

With respect to TV white space band devices being addressed under Dockets 04-186 and 02-380, Motorola stated its strong support and appreciation of the Commission's leadership in this area. Motorola also indicated that, while it supports the vast majority of the technical framework adopted, some adjustments to the rules are necessary to enable the full use of this spectrum, consistent with the need to protect incumbent users.

Motorola also emphasized the importance of the 700 MHz D block and public safety broadband network proceeding in Dockets 06-150 and 06-229, and expressed interest in contributing to the Commission's further work in this area.

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) 371-6868.

Sincerely,

/s/ Kimberly M. Baum

Kimberly M. Baum  
Director, Spectrum and Telecommunication Regulation

Cc: Paul Murray

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<sup>3</sup> See Comments of Motorola, ET Docket No. 03-201 (filed October 15, 2007).