

April 23, 2009

***Via Electronic Filing***

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W., Room TW-A325  
Washington, D.C. 20554

**Re: *Notification of Ex Parte Presentation, Revision to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band, et al., WT Docket Nos. 08-166 & 08-167***

Dear Ms. Dortch:

On April 22, 2009, Verizon Wireless, represented by Don Brittingham, Assistant Vice President, and Adam Krinsky, outside counsel, met separately with Paul Murray, Acting Legal Advisor to Acting Chairman Michael Copps, and the following representatives from the Wireless Telecommunications Bureau (WTB): Chris Moore, Nese Guendelsberger, Paul D'Ari, Brenda Boykin, Monica DeLong, and Bill Stafford. Outside counsel Bryan Tramont also spoke briefly with WTB Acting Chief Jim Schlichting.

Verizon Wireless reiterated the need for prompt action to facilitate the rapid elimination of wireless microphone operations in the 700 MHz band. The record in the above-captioned proceeding establishes that continued operation of wireless microphones in the 700 MHz band will create interference and cause communications disruptions to public safety and commercial operations, and those operations will likewise cause interference into wireless microphone operations. During the meetings, the parties discussed issues related to notification to Low Power Auxiliary Service (LPAS) licensees and the Commission's role in consumer education.

Verizon Wireless observed that Part 74 LPAS licensees operate on a secondary basis and must not cause harmful interference to any other class of station operating in accordance with the Commission's rules.<sup>1</sup> Nonetheless, Verizon Wireless agreed that a 700 MHz commercial wireless licensee should notify LPAS licensees in a particular market if it intends to initiate

<sup>1</sup> 47 C.F.R. §§ 74.861(g) & 74.803(b).

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operations in that market prior to the Commission-adopted nationwide deadline to cease LPAS operations in the 700 MHz band. LPAS licensees would in turn be required to cease 700 MHz operations in that market within 60 days.

Verizon Wireless also discussed the importance of an FCC Consumer Advisory to alert all wireless microphone users, including those not authorized by the Commission, that as part of the DTV transition, the 700 MHz band must be cleared of TV stations *and* all other operations, including wireless microphone usage. Consumer education by the FCC is critical in light of the diffuse nature of unauthorized wireless microphone users. The Consumer Advisory should make clear the timeframe for vacating the band and options available to users of wireless microphones.

In addition, Verizon Wireless noted that wireless microphone manufacturers are already engaged in education efforts to alert their customers (or potential customers) of the need to cease operations in the 700 MHz band. Some are offering rebates on replacement equipment for 700 MHz devices,<sup>2</sup> and these education and rebate efforts appear to be reaching the target audience as websites of interest to the user community are already posting the information.<sup>3</sup> Verizon Wireless noted further that these efforts could serve as an effective complement to the FCC's consumer education program.

In accordance with Section 1.1206(b) of the Commission's rules, this letter is being filed electronically with your office. Please contact the undersigned if you have any questions.

Sincerely yours,

/s/

Adam D. Krinsky

cc:	Paul Murray	Paul D'Ari
	Jim Schlichting	Brenda Boykin
	Chris Moore	Monica DeLong
	Nese Guendelsberger	Bill Stafford

<sup>2</sup> See, e.g., "700 MHz Rebate Program for Wireless Systems," available at [http://www.sennheiserusa.com/media/pdfFiles/Pro\\_700MHz\\_Range\\_Rebate.pdf](http://www.sennheiserusa.com/media/pdfFiles/Pro_700MHz_Range_Rebate.pdf);

"700 MHz Wireless Trade-In Program," available at [http://www.shure.com/ProAudio/Rebates/us\\_pro\\_rebate\\_wireless](http://www.shure.com/ProAudio/Rebates/us_pro_rebate_wireless);

"Audio Technica 700 MHz Trade-In Program," available at <http://www.audio-technica.com/cms/features/d902a46d7c31c586/index.html/>.

<sup>3</sup> The following websites demonstrate that wireless microphone manufacturer education is spreading to websites most relevant to many parts of the ineligible wireless microphone user community:

<http://www.theworshipcommunity.com/sennheiser-press-release-re-wireless-mic-frequency-concerns/>;

<http://www.planetdj.com/700Mhz.tpl>; <http://www.churchonwheels.com/images/SHURE12082008.pdf>.