



Albert Shuldiner  
Senior VP & General Counsel

**ELECTRONIC DELIVERY VIA ECFS**

September 1, 2009

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Re: MB Docket No. 99-325  
Notice of Ex Parte Presentation

Dear Ms. Dortch:

iBiquity Digital Corporation (“iBiquity”) hereby notifies the Commission, pursuant to Section 1.1206 of the Commission’s Rules, of a meeting held earlier today with Rosemary C. Harold of Commission McDowell’s office. iBiquity was represented by the undersigned. Also in attendance was Steven A. Lerman, Esq. of Lerman Senter PLLC representing the Joint Parties in the proceeding. A copy of the presentation that was distributed at the meeting is attached to this letter.

A copy of this letter will be provided via e-mail to those in attendance. Any questions regarding this matter should be directed to the undersigned.

Respectfully submitted,

/s/Albert Shuldiner  
Albert Shuldiner

cc: Rosemary C. Harold



**Rosemary Harold**  
**Federal Communications Commission**

**September 1, 2009**

# Joint Parties Proposal

## ❑ Original Proposal:

- ❑ Authorize stations to increase FM digital power up to 10 dB (from – 20 dBc to – 10 dBc)
- ❑ This is not a mandatory increase – stations allowed to increase power by any amount up to -10 dB
- ❑ The digital power level of Super B stations should be limited to limit interference
- ❑ The Commission can resolve documented allegations of harmful interference from the power increase but we don't think those will be numerous.

## ❑ Compromise Proposals:

- ❑ Allow stations in the nonreserved band to increase power immediately but maintain the current power limit in the reserved band pending further testing by public radio
- ❑ Intermediate 6 dB increase pending further consideration of a full 10 dB increase



## Current Status

- ❑ NPR Labs conducting additional studies
  - ❑ Concerns about structure and scope of tests
  - ❑ Lack of industry consensus about test program
  - ❑ Test program is focused on worst case scenarios and does not focus on typical radio listening
- ❑ Unlikely to have any industry agreement about new tests for several months
- ❑ Commission should move forward immediately with interim relief



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