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September 17, 2009

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

Re: Notice of Ex Parte Communication
ET Docket Nos. 04-186 and 02-380

Dear Ms. Dortch:

On Yesterday, September 16, 2009, the Association for Maximum Service Television ("MSTV"), filed an Ex Parte letter in reference to its September 15, 2009 meeting, described in the attachment, hereto. Inadvertently, a letter of October 20, 2008 was submitted the instead of the September 16 letter. This submission, which encloses the September 16 letter, corrects that error.

Please direct any questions concerning this matter to the undersigned.

Sincerely,



Jonathan D. Blake
Attorney for the Association for Maximum Service Television



16 September 2009

Via Electronic Filing

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12 Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Communication,
ET Docket Nos. 04-186, 02-380

Dear Ms. Dortch:

On September 15, 2009, Bruce Franca and Victor Tawil of the Association for Maximum Service Television (MSTV) met with Mr. Julius Knapp, Ms. Geraldine Matise, Mr. Alan Stillwell, Mr. Bruce Romano, Mr. Ira Keltz, Mr. Hugh Van Tuyl and Mr. Walter Johnston of the Office of Engineering and Technology with regard to above captioned proceeding. Mr. David Donovan of MSTV participated by telephone.

Mr. Franca and Mr. Tawil indicated that MSTV has actively participated in the White Space database group founded by Google and other white space advocates and has reached out and met with several entities desiring to be TV band database administrators. Significant progress has been achieved with regard to the technical aspects associated with the requirements needed for white space database and associated devices as a result of these efforts. While some differences continue to exist, the industry is continuing to work constructively to try to reach consensus.

MSTV believes that the TV Bands or white space geo-location database needs to be a complete end-to-end system to work. The Database Administrator has to provide correct channel availability to approved devices that have been certified, tested and found by the FCC to respond properly to this channel information. In other words, the database base administrator must be a "trusted source" and the WSD must be a "trusted device." All of these transactions must take place in a manner that is secure and that can not be compromised either unintentionally or deliberately. In other words, some level of verification of both the database provider and the device is required. At the same time, the user experience should be seamless and security should be invisible to the user. The

approved WSD device must respond properly to correct channel information from the database and device must not respond or transmit with non-approved databases.¹

Mr. Franca and Mr. Tawil also briefly addressed the recent filing by Dell/Microsoft.² MSTV indicated that all of the database activities have shown that developing “real-world” WSD database architecture and devices that meet the FCC’s goals of providing for new unlicensed uses and protecting incumbents is a complex and complicated task that goes well beyond the superficial housekeeping matters raised in the recent Dell/Microsoft filing concerning.

MSTV strongly disagrees with the Dell/Microsoft and Spectrum Bridge assertions that the Database Administrator should have NO responsibilities or liabilities with regard to interference that are a result of their actions. We agree that the Database Administrator’s job is not to adjudicate allegations of interference. However, neither should it be to promote interference by serving unapproved devices or failing to provide adequate security for its communications and device protocols. MSTV believes that the Database Administrator MUST ensure that available channel lists are correct and are only sent to FCC authorized white space devices.

Mr. Franca and Mr. Tawil also stated that the Database Administrators should not be allowed to manage multiple narrowband uses of a vacant 6 MHz TV channel as suggested by Dell/Microsoft. FCC DTV interference studies and criteria is based on a single broadband interferer and the technical D/U data derived does not apply to multiple narrowband uses that would effectively place more energy in the band.

Mr. Franca and Mr. Tawil also spoke briefly about Mode I WSDs. They noted that Mode I devices present some very real security and interference concerns that need to be fully addressed in the rules and in the database design. For example, they noted that FCC should clarify proxy “database available channels” for Mode I devices should not override TV channel sensing by the Mode I device since actual location of Mode I device is unknown.

Respectfully submitted,



Bruce Franca
VP, Policy and Technology

¹ One approach that appears to have many of these elements has been submitted by Key Bridge Global LLC. See, for example, *Ex Parte* filings of Key Bridge Global LLC, dated August 17, August 24 and September 8, 2009.

² See *Ex Parte* letter from Edmond Thomas to Julius Knapp, dated August 27, 2009.