



Albert Shuldiner
Senior VP & General Counsel

ELECTRONIC DELIVERY VIA ECFS

December 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 December 1, 2009 with Sherrese Smith of Chairman Genachowski'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: Sherrese Smith
Steven A. Lerman



Sherrese Smith
Federal Communications Commission

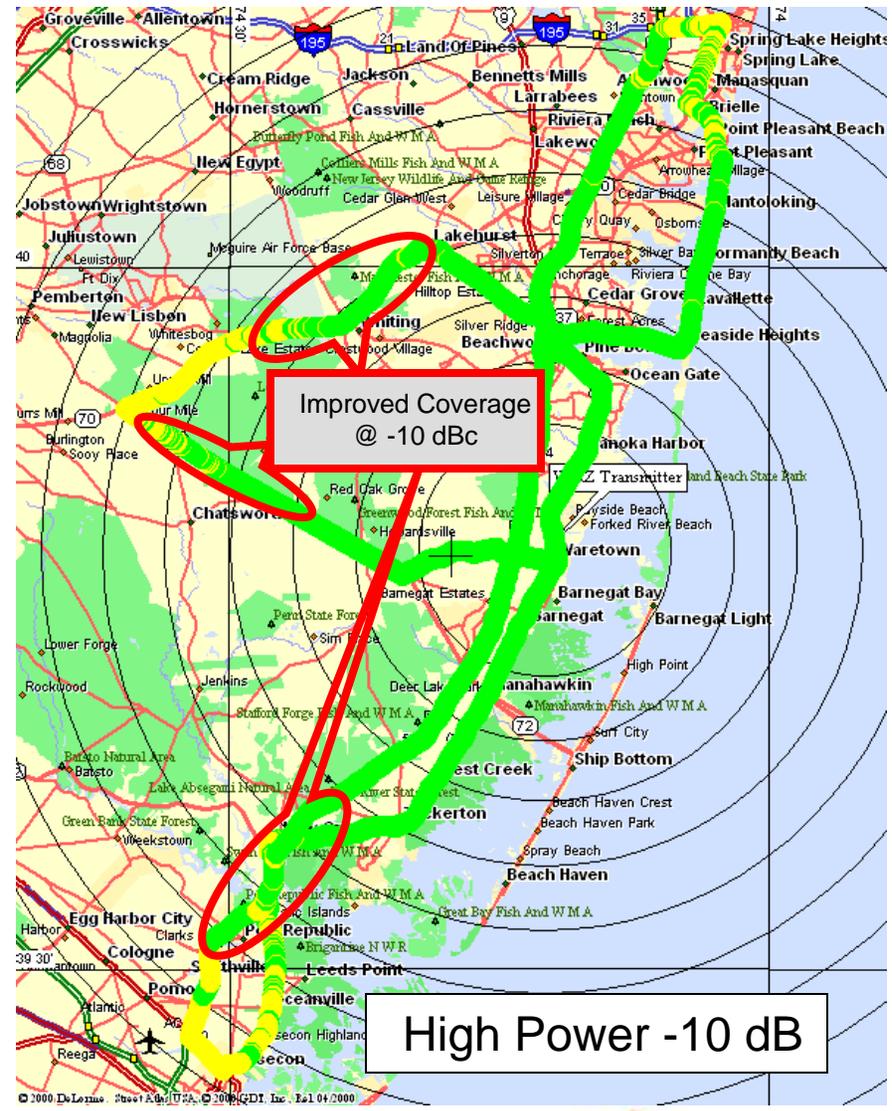
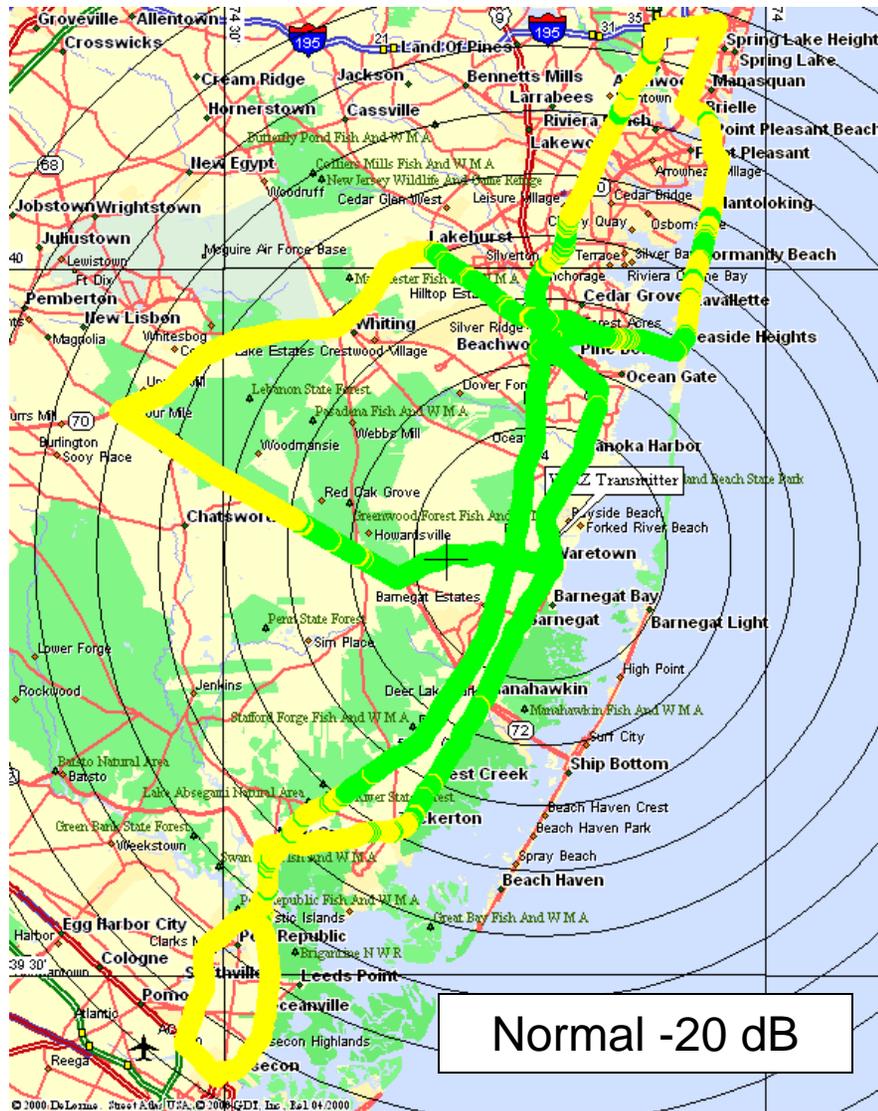
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Background

- ❑ Joint Parties (includes 18 broadcasters operating 1,212 commercial and noncommercial stations) filed request to boost digital FM power by up to 10 dB
 - ❑ Digital coverage to 65 dBu contour does not match typical analog coverage to 60 or 54 dBu protected contour
 - ❑ Need to improve building penetration
 - ❑ Particularly important for new portable devices
- ❑ iBiquity field test report demonstrated higher digital power will not impact analog in vast majority of cases
- ❑ Media Bureau Public Notice Oct. 23, 2008
- ❑ Comment/Reply Comment period completed Jan. 20, 2009
- ❑ May 2009 – New Public Notice specifically proposing increase
- ❑ New Comment Period completed July 17, 2009
- ❑ November 5, 2009 – iBiquity and NPR submitted proposal to resolve outstanding issues and allow a power increase



Coverage – WJRZ Class A FM



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Conclusions from Field Tests

❑ Digital Performance at Higher Power

- ❑ 10 dB increase would establish parity between digital and analog indoor and outdoor coverage
 - An increase of 25 - 33% in digital radial coverage (regardless of station class) in non-terrain limited environments
 - Typically overcomes 10 dB building attenuation
 - Even greater benefit for Class A stations – potentially more than 50% increase in digital coverage
- ❑ 6 dB increase provides significant improvement that could benefit many stations

❑ Analog Compatibility

- ❑ Area of potential impact limited to areas outside of the protected contour
- ❑ Area of potential impact limited to oval shaped region in line between stations
- ❑ Existing thermal and man-made noise masks most interference increase
- ❑ Super B power above -20 dB should be capped at Class limit



Original Joint Parties 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 minimize interference
- ❑ The Commission can resolve documented allegations of harmful interference from the power increase but we don't think those will be numerous



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Current Proposal Before the Commission

- ❑ Blanket authorization for all stations to increase by 6 dB
- ❑ Limit power increase for grandfathered super-power Class B stations
- ❑ Increases beyond 6 dB will be considered if station application demonstrates compliance with criteria demonstrated to limit harmful interference to first adjacent channel stations
- ❑ Enhanced complaint procedures to specify what is required to establish a bona fide complaint and mandatory power reductions if a bona fide complaint cannot be resolved
- ❑ Commitment to develop additional features such as asymmetrical sidebands and single frequency networks to enhance digital coverage and minimize analog interference
- ❑ The Joint Parties and NAB have expressed their support for this approach



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