



February 4, 2010

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: *Ex Parte*: Dkt. Nos. 97-80, 09-51, 09-47, 09-137.**

Dear Ms. Dortch:

On February 3, 2010, Steve Sharkey, Senior Director, Regulatory & Spectrum Policy, Motorola Global Government Affairs, and Jason E. Friedrich, Senior Director, Broadband Policy, Motorola Global Government Affairs, met with Blair Levin, Executive Director, Omnibus Broadband Initiative, Carlos Kirjner, Senior Advisor to the Chairman on Broadband, Phil Bellaria, Director, Scenario Planning, Omnibus Broadband Initiative, and Elvis Stumbergs, Attorney-Advisor, Omnibus Broadband Initiative. We discussed issues relating to spectrum and video devices.

Consistent with our prior filings in the Broadband Plan proceeding, we indicated our support for the allocation of D-Block spectrum to public safety. In addition, we discussed the reasons for 3GPP defining multiple band classes for the 700 MHz band, the challenges associated with developing devices that operate across all of the paired blocks in the band, and the delays in broadband deployment that would result from a Commission mandate to include all paired 700 MHz blocks in every device.

With respect to video devices, we reiterated our support for a Notice of Inquiry (NOI) to explore why the current CableCARD regime has not been successful and possible paths forward in this area. We suggested that an NOI must be much broader and more comprehensive than the very limited questions asked as part of the National Broadband Plan, and that an NPRM would be premature given the complex and as-yet-unexamined technical, business, and regulatory issues associated with video devices. We also discussed innovation in the marketplace for set-top boxes and video devices generally, including the growing number of TVs and TV-connected devices that can access Internet content and applications. In addition, we discussed the potential risks associated with technology mandates in this rapidly-innovating marketplace. Our comments were consistent with filings Motorola has made in the above-captioned proceedings.

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Please direct any questions or correspondence to my attention.

Sincerely,

/s/

Jason Friedrich  
Senior Director, Broadband Policy  
Global Government Affairs  
Motorola  
1455 Pennsylvania Avenue, N.W., Suite 900  
Washington, DC 20004  
(202) 371-6905

cc: Blair Levin  
Carlos Kirjner  
Phil Bellaria  
Elvis Stumbergs