



July 30, 2010

BY ELECTRONIC FILING

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

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

Dear Ms. Dortch:

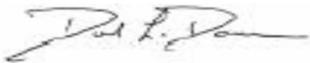
On July 29, 2010, Messrs. David Donovan and Victor Tawil of the Association for Maximum Service Television, Inc. (MSTV); Ms. Ann Bobeck and Mr. Kelly Williams of the National Association of Broadcasters (NAB); and Jonathan Blake of Covington & Burling LLP, met with Ms. Jennifer Flynn of Chairman Genachowski's office about white spaces issues in the above two proceedings.

During these meetings, the MSTV and NAB representatives discussed the need to retain a combination of sensing requirements and the geolocation/database mechanisms to protect against the serious interference consequences that would otherwise result from white spaces operations. Geolocation/database protection alone is not sufficient to protect against harmful interference to the public's broadcast service, and, in the case of licensed microphones used for newsgathering and other valued mobile uses, geolocation protection is not even possible. We also explained that even with retention of sensing as an essential complement to geolocation/database protections, the white spaces rules need a number of clean-up modifications for the reasons that MSTV and NAB have set forth in their prior filings in this docket.

The MSTV and NAB representatives also emphasized the importance of assuring accuracy and reliability with respect to geolocation/database operations and accountability with respect to database administration, as noted in our prior filings. Because the white spaces rules that are under reconsideration are interdependent with the administration of the geolocation/database mechanisms specified in those rules, the Commission's decision on reconsideration should make clear that the geolocation/database operations will be effectively implemented in these and other respects.

With the prospect of hundreds of thousands, and perhaps millions, of potentially interfering unlicensed devices being distributed throughout the country shortly after the reconsideration process is concluded, the Commission must take care to avoid the serious risks that they could create.

Respectfully submitted,



David Donovan
President

cc: Jennifer Flynn*

* by e-mail