



May 5, 2011

Mr. Julius Knapp
Chief, Office of Engineering and Technology
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: ET Docket No. 04-186

Dear Mr. Knapp:

On January 26, 2011, the FCC's Office of Engineering and Technology (OET) adopted and released an *Order* conditionally designating nine entities as TV bands device database administrators.¹ The TV bands device database administrator is the principal mechanism adopted by the Commission to avoid interference to authorized users of the TV bands. As noted in the *Order*, "TV bands devices must include a geo-location capability ..." and the "database will tell a TV band device which TV channels are vacant and can be used at its location."² As such, the database administrators are the Commission's surrogates in ensuring the proper use of spectrum and protecting incumbent licensed operations from unlicensed TV bands devices.

The Association for Maximum Service Television, Inc. (MSTV) and the National Association of Broadcasters (NAB) have participated in and applaud both the Commission's database workshops and industry's efforts to "get this right." However, as described below, MSTV and NAB believe that the recent actions by one of the tentatively designated database operators, Spectrum Bridge, underscores the need for strong and continued Commission oversight with regard to this proceeding.

Spectrum Bridge applied for and was granted an experimental license to demonstrate a "TVWS solution" at the CTIA show in Orlando, Florida. This license (WE9XTG) was granted for operation on frequencies 174-216 MHz with a maximum bandwidth of 6 MHz and a maximum power level of 1 Watt.

¹ See *Order* (DA 11-131) in ET Dockets Nos. 04-186 and 02-380, released January 26, 2011.

² See *Order* at para. 3.

CNBC was also an exhibitor at the 2011 CTIA show and was using licensed wireless microphones (WQMP-499) for the remote production of the CNBC show, *Mad Money* with Jim Cramer. We have been advised that on March 21, 2011, NBC/CNBC personnel noticed interference from a strong 7 MHz wide signal to their *licensed* wireless microphone operation. Their wireless microphones were operating on frequencies in the 656-662 MHz band (TV channel 45). To avoid this interference to their operations, NBC personnel indicated to us that they had to relocate all their wireless microphone equipment to around 500 MHz which is also covered under the WQMP-499 license.

We have been told that, using a spectrum analyzer and directional antenna, NBC/CNBC personnel traced this interference to the Spectrum Bridge kiosk, and that evening NBC/CNBC personnel searched FCC records to determine if Spectrum Bridge had obtained an FCC license to operate equipment in the 650 MHz band. They found that an experimental license (WE9XTG) had been granted to Spectrum Bridge for the 174-216 MHz band to demonstrate at the CTIA show. Bruce Franca of MSTV also conducted a search of experimental licensing records and confirmed that this was the only experimental license granted to Spectrum Bridge for operation at the CTIA show.

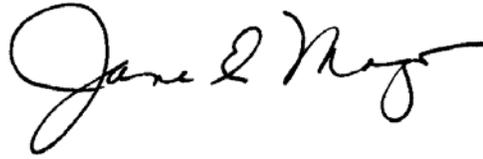
NBC/CNBC informed us that the next day they approached personnel at the Spectrum Bridge booth. It is our understanding that personnel at the Spectrum Bridge booth were asked if they had coordinated their operation with Comsearch, the official frequency coordinator for the CTIA show or with the Society of Broadcast Engineers (SBE) and if they had an FCC license for their operation. We have been advised that the Spectrum Bridge personnel indicated that they did have a license from the FCC, but did not know the call sign or what frequencies had been authorized; and that NBC/CNBC personnel then showed the Spectrum Bridge personnel copies of the Spectrum Bridge experimental authorization, explained that they did not have authority to operate in the 650 MHz range, and told the personnel that they had made a notification of the interference to the FCC. NBC/CNBC personnel noticed that a short time later Spectrum Bridge's transmissions on TV channel 45 ceased.

In summary, based on the available information, Spectrum Bridge may have been improperly operating on a frequency without Commission authorization. Even if Spectrum Bridge had a license to operate on TV channel 45, however, under the white space rules it may have been operating at a power level that was not permitted on that channel and may not have been operating with the proper authorized bandwidth. We submit that some investigation may be appropriate.

Regardless of what appropriate action the Commission may take with regard to this matter, this specific incident and the significant harmful interference caused to a licensed authorized operation points out the need for strong and continued Commission oversight. Both the Commission and the OET have suggested such a cautious approach. In the recent *Order*, OET stated that "the development and implementation of a well functioning system for employing white space devices will require significant database oversight and testing." MSTV and NAB applaud the Commission's efforts to "get this right" and remain committed to working with the FCC and all parties to make sure the

use of white spaces is successful for the unlicensed community and interference-free for all authorized operations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jane Mago". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jane Mago, Esq.
Executive Vice President and General Counsel

CC: P. Michele Ellison, Chief, Enforcement Bureau