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May 16, 2013

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, NW
Washington, DC 20554

Re: *In the Matter of Progeny LMS LLC, WT Docket No. 11-49:* Notice of Oral Ex Parte Communication

Dear Ms. Dortch:

I am writing to notify the Commission that earlier today, I left voice mail messages for Louis Peraetz, Legal Advisor to Commissioner Clyburn, David Goldman, Senior Legal Advisor to Commissioner Rosenworcel, and Courtney Reinhard, Legal Advisor to Commissioner Pai, on behalf of Plantronics, Inc. ("Plantronics") to reiterate Plantronics' call for the Commission to defer authorizing Progeny LMS LLC ("Progeny") to operate in the 902-928 MHz band under its Multilateration Location and Monitoring Service ("M-LMS") license until such time as Progeny satisfies its obligation under Section 90.353(d) of the Commission's Rules to demonstrate through actual field tests that its systems do not cause unacceptable levels of interference to 47 CFR Part 15 devices.

In those voice mail messages, I reiterated that although Plantronics has had wireless headset equipment certified for use in the 900 MHz band under Part 15 since 2003, Progeny did not contact Plantronics and did not engage in the cooperative testing with Plantronics called for by the Commission before submitting its unilateral report purporting to demonstrate interference protection to Part 15 interests. I also noted that neither Progeny's unilateral testing nor any subsequent testing conducted by Progeny with other Part 15 interests, examined potential interference to sophisticated voice devices of the sort Plantronics manufactures for high-density commercial contact centers. I further pointed out that Plantronics' own preliminary testing has indicated that interference will occur, and that Progeny has refused to respond to Plantronics' request for joint testing. Finally, I explained that Progeny's proposed conditions turn Section 90.353(d) on its head because rather than require Progeny to demonstrate non-interference to Plantronics' user community before commencing permanent operations, Plantronics' customers apparently would be forced to suffer interference from Progeny during the course of some ill-defined "cooperative" curative effort when interference occurs.

Pursuant to Sections 1.1206(b)(1) and 1.49(f) of the Commission's Rules, this letter is being filed electronically with the Commission via the Electronic Comment Filing System.

Please contact the undersigned if you have any questions.

Respectfully submitted,

Paul J. Sinderbrand

Counsel to Plantronics, Inc.

cc: Louis Peraetz
David Goldman
Courtney Reinhard