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August 7, 2013

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BY ECFS

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

Re: In the Matter of Expanding the Economic and Innovation Opportunities of
Spectrum Through Incentive Auctions, GN Docket No. 12-268
NOTICE OF ORAL EX PARTE PRESENTATION

Dear Ms. Dortch:

On Monday, August 5, 2013, Preston Padden, Executive Director of the Expanding Opportunities for Broadcasters Coalition (the "Coalition"), Jeff Eisenach of Navigant Consulting, and Richard Bodorff and Ari Meltzer of Wiley Rein LLP, on behalf of the Coalition, participated in a conference call with Gary Epstein, Chairman of the FCC Incentive Auction Task Force (the "Task Force"), Evan Kwerel of the FCC Office of Special Projects and Wireless Telecommunications Bureau, Robert Weller of the FCC Office of Engineering and Technology, Ann Gallagher of the FCC International Bureau, Sasha Javid of the FCC Wireless Telecommunications Bureau, Karla Hoffman of George Mason University, and Paul Salaszyk and Rudy Sultana of Computech.

The purpose of the call was to discuss the constraint files that the Task Force released on July 22, 2013. The Coalition representatives began by complimenting the work of the FCC Staff and expressed the Coalition's belief that if the Commission creates the necessary incentives in both the reverse auction and the forward auction, it can reallocate 120 MHz nationwide.

However, the Coalition representatives explained that certain assumptions contained within the constraint files would make it more difficult to achieve the goal of reallocating 120 MHz nationwide, and that the overly conservative assumptions contained in the constraint files are unnecessarily restrictive. For example, the Coalition noted that the constraint files do not permit substitution for existing short-spaced allocations (domestic or cross-border), even where the substituted station would produce identical or even less interference than the

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existing station. And the use of a proxy channel appears to have created the appearance of more interference at least in some instances.

The Coalition representatives also discussed engineering analyses that the Coalition could conduct and submit that would enable the FCC to present a more realistic picture of interference constraints and would help to reinforce the case for reallocating 120 MHz.

Respectfully Submitted,



Ari Meltzer
Counsel to the Expanding Opportunities for Broadcasters Coalition

cc (via e-mail):

Gary Epstein
Ann Gallagher
Sasha Javid
Even Kwerel
Robert Weller