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February 25, 2014

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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 Friday, February 21, 2014, Preston Padden, Executive Director of the Expanding Opportunities for Broadcasters Coalition (the "Coalition"), met separately with: (1) David Goldman from the Office of Commissioner Jessica Rosenworcel; and (2) Matthew Berry from the Office of Commissioner Ajit Pai.

During each of the meetings, Mr. Padden and the participants discussed arguments that the Coalition has made in its prior written pleadings in the above-referenced docket. Mr. Padden reiterated that broadcaster participation is critical to the success of the incentive auction and expressed his support the FCC's planned outreach to broadcasters. Mr. Padden emphasized that, to be effective, the Commission's outreach must include information about pricing – particularly the FCC's initial offer to broadcasters in a descending clock auction. Mr. Padden explained that, because the television stations that the Commission needs to entice for the auction to succeed are going enterprises with leases, capital expenses, and long-term business plans, the FCC cannot afford to wait to announce opening auction prices.

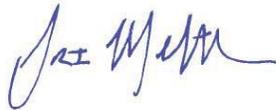
Mr. Padden also stressed that payments to broadcasters must be based on the market forces of the auction, and he encouraged the Commission to disavow any explicit use of scoring in the auction. Mr. Padden explained that the perception that the agency could dictate auction results is driving broadcasters away from the auction, and for no purpose, given that the reverse auction automatically will pay higher prices to stations with a greater preclusive effect by freezing those stations earlier in the auction.

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Mr. Padden expressed his support for channel sharing as an option to increase broadcaster participation in the auction and explained that, to recognize the full benefit of channel sharing, the agency must adopt flexible and creative approaches to expand the number of stations for which channel sharing is both a viable and attractive option.

Finally, Mr. Padden stressed the importance of managing the “message” that the FCC is sending to broadcasters about the incentive auction. Mr. Padden expressed his agreement with the sentiment that a properly structured auction could present a “once-in-a-lifetime” opportunity for broadcasters.

Respectfully Submitted,



Ari Meltzer
Counsel to the Expanding Opportunities for Broadcasters Coalition

cc (via e-mail):

Matthew Berry
David Goldman