



NEW AMERICA
FOUNDATION

March 7, 2014

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

Re: Notice of Oral *Ex Parte* Presentation

Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, GN Docket No. 12-268;
Policies Regarding Mobile Spectrum Holdings, GN Docket No. 12-269

Dear Ms. Dortch:

On March 5, 2014, Michael Calabrese of the New America Foundation and Harold Feld of Public Knowledge, on behalf of the Public Interest Spectrum Coalition (PISC), met with Diane Cornell, Special Counsel to the Chairman.

The public interest advocates initially described the growing consensus that unlicensed spectrum is both a complement to licensed and central to the wireless economy, generating more than \$200 billion in economic activity each year in the U.S. alone and carrying more than 50 percent of mobile device traffic.

With respect to the incentive auctions proceeding (Docket No. 12-268), the PISC representatives emphasized that the public interest is best served by band plan, auction and repacking policies that strike a balance between broadcast stations, licensed mobile operators *and ensuring at least 24 MHz of unlicensed access in every market nationwide*. We acknowledged that although last year's Spectrum Act imposed certain statutory guideposts, we noted that the Commission has the authority to allow shared unlicensed use of the guard bands, of Channel 37 and of any channels reserved for wireless microphones, all which is likely to be necessary to promote and sustain markets of national scope and scale for unlicensed chips, devices and services.

The meeting focused on what the PISC representatives described as a win-win outcome for wireless microphones and unlicensed devices. We summarized the proposal PISC has advocated at length in its comments and reply comments in this proceeding, which calls on the Commission to maintain the two 6 MHz channels currently reserved for wireless microphones, but also to permit shared unlicensed use subject to protecting microphone reservations via the TV Bands Database. The advocates stated that although the Commission may need to designate the location of these two channels post-auction, it is likely to be most practical and beneficial if they are the first two available channels below channel 37 and the new LTE band (e.g., channels 35 and 36).

The PISC representatives also noted their opposition to locating microphones in the Duplex Gap, since even a 12 MHz Duplex Gap would be both technically reasonable and large enough to accommodate a 6 MHz unlicensed channel, an outcome that would adhere to the compromise reached by Congress in the Middle Class Tax Relief and Reform Act of 2012.

Respectfully submitted,

/s/

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cc: Diane Cornell