

March 18, 2014

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Notice of Ex Parte Presentation

**ET Docket No. 13-49, *Revision of Part 15 of the Commission's Rules to Permit
Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band***

Dear Ms Dortch:

On March 14, 2014, Edgar Figueroa, President and CEO of Wi-Fi Alliance (“WFA”) and the undersigned counsel for WFA had separate telephone conferences with Renee Gregory, Legal Advisor to Chairman Tom Wheeler; Brendan Carr, Legal Advisor to Commissioner Ajit Pai; David Goldman, Senior Legal Advisor to Commissioner Jessica Rosenworcel; Erin McGrath, Legal Advisor to Commissioner Michael O’Rielly; Louis Peraertz, Legal Advisor to Commissioner Mignon Clyburn; and Mark Settle, Chief of the Policy and Rules Division of the Office of Engineering and Technology.

During each telephone conference, we urged the Commission to permit the more complete use of Wi-Fi devices in outdoor environments with the highest possible power levels. We noted that WFA advocated for the Commission to allow transmit power of up to 1 watt for outdoor devices operating in the U-NII-1 band, a change that would benefit Wi-Fi users and the Nation’s wireless communications ecosystem. We observed that the National Cable and Telecommunications Association (“NCTA”) recently submitted a compromise proposal designed to address concerns about the use of high-powered transmitters in the U-NII-1 band.^{1/} We stated that WFA supports that compromise position if the Commission is unable to adopt WFA’s plan.

We understand that while there is agreement regarding the use of new high-power equipment in the U-NII-1 band, there remain concerns about existing equipment that does not meet the proposed antenna configuration. WFA supports allowing those devices to continue to operate at 1 watt if they meet the new antenna configuration or up to 250 milliwatts if they do not. If the Commission will require that those devices operate only pursuant to a waiver of its rules, WFA urges the Commission to adopt as streamlined a process as possible. In addition, the

^{1/} See Letter from Rick Chessen, Senior Vice President, Law and Regulatory Policy, NCTA, to Julius Knapp, Chief, Office of Engineering and Technology, FCC, ET Docket No. 13-49 (filed Mar. 4, 2014).

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

Marlene H. Dortch

March 18, 2014

Page 2

Commission should allow entities to cover as many devices as possible in a waiver request so that the Commission need grant as few waivers as feasible.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, an electronic copy of this letter is being filed for inclusion in the above-referenced docket. A copy of this letter is being provided to all Commission employees who attended the meetings. Please direct any questions regarding this filing to the undersigned.

Respectfully submitted,

/s/ Russell H. Fox

Russell H. Fox
Counsel for Wi-Fi Alliance

cc: Renee Gregory
Brendan Carr
David Goldman
Erin McGrath
Louis Peraertz
Mark Settle