

May 7, 2014

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

RE: Notice of *Ex Parte* Communication
GN Docket No. 12-268

Dear Ms. Dortch:

On May 5 and 6, 2014, the representatives identified below from the Radio Television Digital News Association, CBS, 21st Century Fox, and Time Warner (hereinafter, the “News Representatives”) met separately with Commissioner Clyburn and her staff; Commissioner O’Rielly and his staff; Commissioner Rosenworcel’s staff; and Commissioner Pai and his staff, in each case as part of the above-referenced proceeding. The News Representatives reiterated the important role that wireless microphones play in newsgathering across all types of media – from broadcast television and radio to online to newspapers to bloggers – and renewed their request that the Commission maintain some exclusive spectrum for interference-free wireless microphone use.

In the meetings, the News Representatives who work on the frontlines of newsgathering – Bill Beyer of WTTG(TV), Washington, D.C.; Tu Vu of CNN; and Jon Keller of WBZ-TV, Boston, Mass. – provided their perspectives on the importance of news reporters having immediate access to exclusive wireless microphone spectrum for breaking news. They shared their experiences in covering such events as the Navy Yard shootings in Washington, D.C. last Fall, the recent tornadoes in Arkansas and Oklahoma, and the 2013 Boston Marathon bombing. They emphasized the importance of wireless microphones for critical applications relating to breaking news, pointing out that news organizations often serve as the first wave of first responders to emergencies, providing vital information that helps American consumers stay informed and, in many instances, saves lives. In fact, government first responders, whether police, fire, or other public safety officials, often rely on the critical information disseminated by the media in the initial moments following an emergency situation to determine how best to deploy their own resources.

Without interference-free wireless microphones and related low power devices, reporters would have no reliable way to disseminate information to viewers and listeners, whether via television or radio or online, nor would they be able to communicate effectively with their producers from the field. Ultimately, consumers would suffer the consequences if interference imperils a reporter’s ability to provide timely, crucial information, especially in times of emergency and local and national crisis.

The News Representatives explained that, when it comes to breaking news, the public could be endangered by any delay that would result if journalists were forced to rely on pre-registering wireless microphones in a database for interference protection. The nature of breaking news is such that coverage simply cannot be pre-planned or registered in advance. Particularly in

emergency situations, the media's ability to immediately disseminate information is critical, and something upon which our citizens and our government first responders rely to further the protection of life, health, safety or property. Moreover, as was the case in Boston during the Marathon bombing, there may be times when access to the spectrum database is compromised.

The News Representatives also pointed out that professional users of wireless microphone spectrum already are extraordinarily efficient users of spectrum. In large markets prior to 2010, microphone users could exclusively access up to 114 MHz of spectrum; just five years later the spectrum reserved for this use has fallen to 12 MHz. And if the Commission fails to preserve space for wireless microphone users following the incentive auction, the exclusive spectrum would fall to 0 MHz. Accordingly, because of the critical needs of newsgathering, we asked the Commission to set aside the modest amount of spectrum available in the duplex gap exclusively for professional wireless microphone use. Although even this spectrum would fall far short of the overall need, we indicated that it would represent that bare minimum necessary to maintain continuity of operations during breaking news events. And to be clear, an 11 MHz duplex gap would not yield 11 MHz of spectrum for wireless microphone use; after accounting for interference protection at the edges, the actual usable spectrum likely would be closer to 6 MHz or less.

This letter is being submitted electronically in the above-referenced docket, which has been granted permit-but-disclose status, pursuant to Section 1.1206(b) of the Commission's Rules. Should you have any questions concerning this submission, kindly contact the undersigned.

Respectfully submitted,

/s/

Jared S. Sher
Vice President, Associate General
Counsel, 21st Century Fox, Inc.

/s/

Anne Lucey
Senior Vice President for Regulatory
Policy, CBS Corp.

/s/

Susan Mort
Assistant General Counsel,
Time Warner Inc.

/s/

Kathleen A. Kirby
Counsel, Radio Television Digital News
Association

cc (via email): Commissioner Clyburn
 Commissioner O’Rielly
 Commissioner Pai
 Adonis Hoffman
 Louis Peraertz
 Erin McGrath
 Matthew Berry
 Brendan Carr
 Priscilla Delgado Argeris
 Clint Odom

News Representative Attendees	Commission Attendees
<p>Kathy Kirby, General Counsel to the Radio Television Digital News Association</p> <p>Anne Lucey, Senior Vice President for Regulatory Policy, CBS</p> <p>Jon Keller, Political Reporter, WBZ-TV, Boston, Massachusetts</p> <p>Jared Sher, Vice President & Associate General Counsel, 21st Century Fox</p> <p>Bill Beyer, Director of Operations, WTTG(TV), Washington, D.C.</p> <p>Susan Mort, Assistant General Counsel, Time Warner</p> <p>Tu Vu, Director of Engineering, CNN Washington, D.C. Bureau</p>	<p>Commissioner Clyburn</p> <p>Commissioner O’Rielly</p> <p>Commissioner Pai</p> <p>Adonis Hoffman</p> <p>Louis Peraertz</p> <p>Erin McGrath</p> <p>Matthew Berry</p> <p>Brendan Carr</p> <p>Priscilla Delgado Argeris</p> <p>Clint Odom</p>