June 22, 2015

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Re: Notice of Ex Parte Communication, RM – 11745 and ET Docket No. 14-165

Dear Ms. Dortch:

On Friday, June 19, 2015, Rick Kaplan, Bruce Franca, Robert Weller, Patrick McFadden and the undersigned, all of the National Association of Broadcasters (NAB), met with Renee Gregory and Jessica Almond of Chairman Tom Wheeler’s office. We discussed the attached presentation and NAB’s ongoing concern that the existing framework for the provision of unlicensed device operation in the TV “white spaces” (TVWS) is flawed and needs immediate correction to ensure interference-free operation.

NAB staff urged the Chairman’s office to facilitate a meeting between broadcasters, database operators and TVWS manufacturers to help solve this immediate problem. The Commission cannot reasonably plow forward with liberalizing the TVWS rules, or launch new services in the 3.5 GHz band, before coming to grips with the fact that its database regime is severely flawed. As NAB detailed in the attached presentation, the FCC’s current approach of periodic database cleanups does not work and fails to address the underlying problem. As long as consumers or so-called “professional installers” are able to enter inaccurate information into the database – whether intentionally or not – the Commission has no mechanism to reliably prevent harmful interference.

Fortunately, NAB has proposed concrete, simple and practical solutions to address this flaw. No database operator or manufacturer has suggested that those fixes are unworkable. While it may be inconvenient to include geolocation capability in fixed TVWS devices – despite the fact that manufacturers of the more than 300 million active domestic mobile phones seem to have found a way – that is no excuse for not ensuring that the database works to prevent harmful interference.
Respectfully submitted,

Scott Goodwin  
Associate General Counsel  
Legal and Regulatory Affairs

Enclosure

cc: Renee Gregory  
    Jessica Almond