



**THE CITY OF NEW YORK**  
**DEPARTMENT OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS**  
Paul J. Cosgrave, Commissioner

March 12, 2007

**VIA ECFS**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: In the Matters of Unlicensed Operations in the TV Broadcast Bands, ET Docket No. 04-186 and Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GG/Hz Band, ET Docket No. 02-380**  
*Notice of Ex Parte*

Dear Ms. Dortch:

Please include the attached document in the public record for the above-referenced proceedings.

Thank you.

Sincerely,

/s/  
Radhika Karmarkar  
Senior Counsel  
for Regulatory and Legislative Affairs  
212-788-6565 (ph)



**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Unlicensed Operation in the TV Broadcast Bands	)	ET Docket No. 04-186
	)	
Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GG/Hz Band	)	ET Docket No. 02-380
	)	

**REPLY COMMENTS OF THE CITY OF NEW YORK**

The City of New York (“City”) hereby submits the following reply comments in response to the Further Notice of Proposed Rulemaking released by the Federal Communications Commission (“Commission”) in the above-captioned proceeding, which would allow certain low power devices to transmit on channels in between broadcast television frequencies (*i.e.*, “white spaces”). The City urges the Commission to ensure that this proceeding adequately addresses the need for testing and technical safeguards to avert the potentially destructive impact that the introduction of new devices in white spaces could have on existing wireless microphone use.

In the City of New York, and elsewhere in the country, wireless microphones are integral to the production and distribution of arts, sports, news, religious, political, business and educational information to the public. In New York, wireless microphones are particularly ubiquitous. Thus, for example, in the Broadway Theater District alone,

400 wireless microphone systems are operating simultaneously in entertainment productions.

These wireless microphones currently operate on a non-interference basis in white spaces through meticulous frequency coordination. To achieve the required sound quality level for major live events, including productions that are broadcast globally, audio engineers may spend several weeks installing, configuring and testing wireless audio equipment. A non-coordinated device operating on a previously “unoccupied” frequency could interfere with a wireless microphone transmission, nullifying these efforts, with a severe impact on the events.

To protect the multitude of productions that depend on wireless microphones from harmful interference, the City advocates that the Commission undertake testing before permitting new devices to transmit in white spaces and promulgate regulations safeguarding existing wireless microphone use.

The City of New York continues to strongly support initiatives to advance the deployment of new devices in unused television bands, particularly those technologies that could offer innovative broadband services. The City also supports deployment of these devices in an expeditious manner. However, we respectfully request that the Commission not take action that could interfere with existing wireless microphone use.

Respectfully submitted,

/s/

---

**THE CITY OF NEW YORK**

New York City Department of Information  
Technology and Telecommunications  
75 Park Place, 9<sup>th</sup> Floor  
New York, NY 10007

Mitchel Ahlbaum  
Deputy Commissioner and General Counsel

Radhika Karmarkar  
Senior Counsel for Legislative  
and Regulatory Affairs

March 12, 2007