

October 24, 2008

VIA ELECTRONIC FILING

Chairman Kevin J. Martin
Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Deborah Taylor Tate
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: ***Ex Parte* Comments of Major League Baseball (MLB), the National Association for Stock Car Auto Racing (NASCAR), the National Basketball Association (NBA), the National Collegiate Athletic Association (NCAA), the National Football League (NFL), the National Hockey League (NHL), the PGA TOUR, and The Sports Video Group (SVG) as members of the SPORTS TECHNOLOGY ALLIANCE**

**Introduction of Unlicensed Devices in the “White Spaces”
ET Docket No. 04-186**

Dear Chairman Martin and Commissioners Adelstein, Copps, McDowell and Tate:

We write in response to the October 15, 2008 announcement that the Commission plans to vote at its November 4th meeting on an order that, as we understand is currently proposed, represents a huge leap backwards in modern sports broadcasting and production using wireless technology (including wireless microphones, intercoms, etc.) Since this technology is a part of the conduct of many sporting events themselves, this decision also threatens to disrupt the actual performance of these events as well. These outcomes are unacceptable to us, our many sponsors, and, most important, to the millions of American viewers that are devoted sports fans.

As mentioned below, we do believe that there are reasonable steps that the Commission could take to allow new equipment to operate in the TV frequencies without disrupting sporting events, but strongly urge the Commission not to proceed with the order as announced.

First, the Commission has announced that it will authorize spectrum sensing technology that is clearly not ready for prime time. The Commission’s own engineers and data fail to demonstrate that the technology works better than 50% of the time in a real-world environment and in many cases failed miserably. We therefore request that the Commission not authorize the demonstrably unreliable technology of spectrum sensing as a basis for permitting the production of potentially millions of interference generating devices.

Second, the Commission appears to be rushing toward a decision based on the results of field tests, including field tests at the NFL Fed Ex facility. We strongly believe that the Commission should allow interested parties an adequate opportunity to review, analyze and comment on this important report and conclusions drawn from its laboratory and field testing before it brings its proposed order to a vote before the Commission.

Third, we believe that it is possible to protect wireless microphones and related wireless technology from interference by requiring all new devices to be geolocated and managed by a dynamic database that identifies protected wireless microphone frequencies in each local television market and on a per event basis. To this end, we support the approach outlined by Shure Incorporated, that endeavors to find a balanced means of protecting wireless microphone operations while allowing new devices to share the same spectrum. Although this approach will also require significant changes for our productions and competitions, it offers critical protection that is imperative for the coverage and conduct of modern American sporting events.

If the Commission is committed to moving forward, we urge the Commission to adopt this or a similar approach as a means to proceed.

Sincerely,

Members of the **SPORTS TECHNOLOGY ALLIANCE**

MAJOR LEAGUE BASEBALL (MLB)



NATIONAL ASSOCIATION FOR STOCK CAR AUTO RACING (NASCAR)



NATIONAL BASKETBALL ASSOCIATION (NBA)



NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA)



NATIONAL FOOTBALL LEAGUE (NFL)



NATIONAL HOCKEY LEAGUE (NHL)



THE PGA TOUR



THE SPORTS VIDEO GROUP (SVG)

