

October 6, 2004

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

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David L. Donovan
President

RE: *Ex Parte* Notice: Broadband Over Power Lines
ET Docket No. 03-104, ET Docket No. 04-37

Dear Ms. Dortch:

On October 4 and 5, 2004, David L. Donovan, president of MSTV, communicated by telephone and/or e-mail with Ms. Johanna Shelton, office of Commissioner Jonathan Adelstein; Mr. Sam Feder, office of Commissioner Kevin Martin; Mr. Jonathan Cody, office of Chairman Michael Powell; Mr. Bryan Tramont, office of Chairman Michael Powell; Mr. Rick Chessen, Media Bureau; and Mr. Ken Ferree, Media Bureau.

The purpose of the communication was to reiterate the position taken by MSTV in its Comments filed in the above-captioned proceeding. Specifically, MSTV noted that operating broadband over power lines, as envisioned by the FCC in the 50 – 80 MHz band, would interfere with TV channels 2-5. I also noted that parties seeking to move forward with such services have not indicated a desire to operate systems above 50 MHz.

Accordingly, to the extent the FCC wishes to proceed with a broadband system over power lines, we urge that such operations be limited to below 50 MHz, thereby avoiding interference to broadcast television stations operating on TV channels 2-5.

A copy of MSTV's previously filed comments was provided to the above named individuals.

Sincerely,



David Donovan