



PUBLIC NOTICE

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NOTICE OF PROHIBITED PRESENTATIONS IN THE MATTER OF UNLICENSED OPERATION IN THE TV BROADCAST BANDS (04-186)

Notice is hereby given that prohibited written presentations concerning the above-referenced proceeding (ET Docket No. 04-186) have been received by the Commission between November 3, 2008 and November 14, 2008. Section 1.1203 of the Commission's Rules, 47 C.F.R. § 1.1203, prohibits the making of any presentation, with specified exceptions not applicable here, whether ex parte or not, to decision-making personnel concerning any matter listed on the Commission's Sunshine Agenda until the Commission releases the text of a decision or order relating to that matter or removes the item from the sunshine agenda. The instant presentations addressed the merits of ET Docket No. 04-186, which was included in the Commission's Sunshine Agenda by Public Notice released October 28, 2008. In that Public Notice, the sunshine period prohibition was waived with respect to this matter until October 31, 2008. The matter was the subject of a Second Report and Order and Memorandum Opinion and Order (FCC 08-260), which was released on November 14, 2008. Accordingly, under Section 1.1212(d) of the Commission's Rules, 47 C.F.R. § 1.1212(d), which provides that presentations received during the Sunshine Period and not within an exception provided by 47 C.F.R. § 1.1204(a), shall be associated with, but not made a part of, the record in the relevant proceedings, the presentations here will be associated with, but not made part of the record in ET Docket No. 04-186.

The full texts of these presentations are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. Copies of these presentations may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 1-800-378-3160, web site www.bcpiweb.com. These presentations may also be viewed on the Commission's web site (HYPERLINK <http://www.fcc.gov/cgb/ecfs>).

Action by Office of General Counsel, Administrative Law Division.