

The Honorable Gordon H. Smith
President and CEO



January 28, 2011

The Honorable Jay Rockefeller
United States Senate
Senate Commerce Committee

The Honorable Kay Bailey Hutchison
United States Senate
Senate Commerce Committee

The Honorable Fred Upton
U.S. House of Representatives
House Energy & Commerce Committee

The Honorable Henry Waxman
U.S. House of Representatives
House Energy & Commerce Committee

Dear Chairmen Rockefeller and Upton and Ranking Members Waxman and Hutchison,

I would like to direct your attention to the attached story that appears in today's edition of *Communications Daily* suggesting that Time Warner Cable is engaged in warehousing of spectrum that could be deployed to help build out wireless internet service to unserved markets. This surprising admission from the Time Warner Cable chief operating officer comes at a time when other press reports have indicated that wireless carriers are sitting on as much as \$15 billion in spectrum that has yet to be deployed.¹

Broadcasters are committed to working with Congress, the White House and the FCC to find real solutions to alleged spectrum shortages facing this nation. Indeed, less than two years ago, free and local broadcasters returned 108 MHz of spectrum (more than 1/4 of the spectrum previously allocated for free, local television) which was repurposed for public safety and wireless service as part of our historic and successful transition from analog to digital television.

In finding real solutions to real problems, we hope you would agree that "spectrum speculation" suggested by the Time Warner Cable COO in the *Communications Daily* article is the wrong approach. If there truly is a "spectrum crisis," then allowing companies the size of Time Warner to hoard airwaves should not be permitted.

In closing, NAB strongly encourages passage of thorough spectrum inventory legislation that identifies what companies and government agencies may be sitting on unused airwaves. If we as a nation are truly committed to unlocking the technological potential of wireless broadband, we must first get a full and accurate accounting of spectrum users and spectrum warehouseers.

Best regards,

A handwritten signature in black ink, appearing to read "G. Smith", is written over a horizontal line.

Gordon H. Smith
President and CEO
National Association of Broadcasters

¹ Sam Churchill, *Phoney Spectrum Scarcity*, DAILYWIRELESS.ORG (Jun. 18, 2010), available at: <http://www.dailywireless.org/2010/06/18/phoney-spectrum-scarcity/> (last visited Jan. 28, 2011).

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