



May 30, 2013

The Honorable Mignon Clyburn
Acting Chairwoman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Expanding the Economic and Innovation Opportunities of Spectrum
Through Incentive Auctions, GN Docket No. 12-268*

Dear Chairwoman Clyburn:

The Consumer Electronics Association (CEA) and the National Association of Broadcasters (NAB) again congratulate you on your selection as Acting Chairwoman of the Federal Communications Commission. Your appointment is a well-deserved honor and an important milestone in the history of media and telecommunications. We stand ready to assist you in your stated goals of continuity and progress during your tenure at the helm of one of our nation's foremost regulatory bodies.

While there are countless important issues before the Commission, perhaps none is more significant than the upcoming voluntary TV broadcast spectrum incentive auction. Our aim is to ensure that this first-in-the-world auction is a resounding success, and a model to be employed for auctions throughout the world.

As we have previously noted,¹ an essential ingredient for a successful auction is the international coordination with Canada and Mexico regarding the rearrangement and

¹ See Comments of the Consumer Electronic Association in GN Docket No. 12-268 (filed Jan. 25, 2013), at 33 (stating that the FCC should create "a task force or similar working group dedicated to this coordination effort so that it does not become a gating factor in the incentive auction process"); Reply Comments of the National Association of Broadcasters in GN Docket No. 12-268 (filed Mar. 12, 2013), at 20 n.24 (noting with approval CEA's proposal for a working group).

reservation of TV broadcast channels on both sides of the borders.² Updated cross-border coordination agreements ultimately will be necessary not only to permit mobile broadband operations within the border regions, but also to facilitate repacking of broadcasters in those areas. Absent substantial progress in the near-term in ongoing coordination efforts, the Commission will face uncertainty regarding the repacking process and the future availability of mobile services in key border areas.

We are pleased that the Commission has recently reached out to Canada to begin this process.³ We believe that the Commission can go one step further, however, and immediately create a joint working group consisting of public and private officials to expedite this critical process.⁴ We agree with Commissioner Rosenworcel, who noted just last week, that “[w]e can bring in minds from the federal side, state side, industry, and public to create a forum to identify issues [associated with international coordination] – and help solve them.”⁵

A number of factors counsel that a more robust, open, and expedited process is necessary with respect to international coordination. First, to meet the aggressive timetables the Commission has set for conducting the auction, international coordination must be well underway as soon as possible. Second, industry participation is critical in this process, as both broadcasters and wireless providers have had extensive experience coordinating with our international neighbors. Third, given the high-profile nature of the incentive auction proceeding and the number of stakeholders directly affected by its outcome, it is important that the process be as open and transparent as possible.

We believe that the auction process will benefit greatly from open and well-timed discussions about international coordination issues. Proper coordination efforts will limit consumer disruption, free channels for repacking, and ensure that the auction can

² In addition, the Spectrum Act requires coordination with Canada and Mexico. See Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6403(b)(1)(B) (2012).

³ See FCC Press Release, “FCC and State Department Engaging in Continuous Discussions with Canada and Mexico on Border Issues Related to the Incentive Auction,” released April 12, 2013.


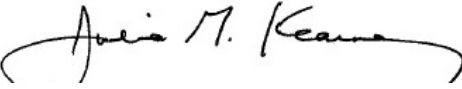
⁴ See CEA Comments, at 33; NAB Reply Comments, at 20, n.24; 64-65.

⁵ See Remarks of Commissioner Jessica Rosenworcel, CTIA 2013—The Mobile Marketplace (delivered May 22, 2013).

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successfully generate revenue to fund FirstNet. We urge the Commission to form the working group without delay and to host the first meeting this summer. CEA and NAB are ready and willing to assist – either as active working group participants or as coordinators of our respective industries' participation.

Sincerely,

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