

## Television White Spaces Fact Sheet

- In the Spectrum Act of 2012, Congress directed the Federal Communications Commission (FCC) to reallocate spectrum from broadcast television to mobile broadband using a market-based incentive auction. Broadcasters were promised that the process would be voluntary, that non-participating stations would be held harmless, and that their rights would not be diminished.
- When the incentive auction concluded, 84 MHz had been cleared out of the broadcast television band with winning bids nearing \$20 billion for 70 MHz of licensed spectrum. As a result, 957 non-participating full-power stations must be relocated into the now condensed broadcast television band. In addition, hundreds of broadcast television translators and Low Power Television (LPTV) stations will either be relocated or forced off the air.
- In even a best-case scenario, the capacity simply does not exist to successfully accommodate all of these broadcast television station moves. Yet some companies, most notably Microsoft (a \$540 billion company), are now asking the FCC to reserve additional spectrum in the broadcast band for use by unlicensed white space devices.
- Today, white space devices are already permitted to operate on any available broadcast channel and channel 37. Following the incentive auction repack, white space devices will also be permitted to operate in the newly created duplex gap that separates the new mobile broadband services.
- Though white space devices have always been secondary to any licensed service in the broadcast television band, including full-power broadcast stations and other broadcast uses, the reservation of an additional channel for unlicensed *would flip this licensed/unlicensed policy framework on its head*. Further, the companies now requesting this regulatory handout had the opportunity to purchase spectrum in the incentive auction, **yet failed to bid even a single dollar**.
- Congress fully debated the allocation of incentive auction spectrum for licensed/unlicensed mobile broadband in passing the Spectrum Act. Nothing in it or the broader Communications Act authorizes the FCC to subjugate the rights of licensed broadcast stations to unlicensed users or the reservation of an additional channel in the broadcast band.
- Proponents of the newly reserved spectrum for white space devices argue that there will be no harm to broadcasters. That claim is either true, because there is enough available

spectrum in each market (which obviates the need to reserve more), or is false and the lack of spectrum will force broadcast services off the air.

- By design, the incentive auction is already shrinking the broadcast television band and there will not be enough spectrum to keep all broadcast television translators and LPTV stations on the air. This disproportionately harms diverse, niche, and rural broadcast viewers that are served by translators and LPTVs.
- The reservation of an additional white spaces channel will force even more of these vital broadcast services off the air because they won't have anywhere else to go. On the other hand, Congress and the FCC are actively considering other bands for unlicensed wireless devices use, such as the 5 GHz band.
- The FCC's white spaces database has been a [well-documented disaster](#), rife with bogus entries and subject to abuse. In fact the FCC, acting on a petition from NAB, opened the rulemaking process last year on improving the accuracy and reliability of the white spaces database.
- The TV White Spaces database only has around 800 devices total across the nation. Based on the number of test devices and the locations of the registered devices, NAB estimates that less than 300 are actually providing Internet service to homes.