

August 13, 2013

The Honorable Mignon L. Clyburn
Chairwoman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: Impact of Broadcast Spectrum Auctions on Critical Newsgathering
 GN Docket No. 12-268

Dear Chairwoman Clyburn:

The undersigned organizations and companies represent just a small handful of the wide range of American journalists and newsgatherers who work tirelessly day in and day out to keep Americans informed about issues of importance to their communities and their lives. Although we compete fiercely with one another in the field to be the best at what we do, we share one common reality: *all* electronic newsgatherers rely extensively on wireless microphones to communicate vital information to Americans. We urge you to preserve the two channels set aside for wireless microphone use in each market so that we can continue to provide Americans with an essential public service. Without interference-free wireless microphones, newsgatherers simply would lack a reliable way to deliver the live, breaking news that all Americans – regardless of the medium they interact with – find important in their daily lives.

In many ways, electronic newsgatherers serve today as the first wave of first responders in times of local or national emergency. Broadcast and cable television viewers, radio listeners and online multimedia consumers across the country rely on live news to stay informed and, more importantly, to stay safe. Especially in the face of an emergency that imperils lives and homes, such as a tornado or hurricane, newsgatherers provide citizens with crucial, often life-saving information *before* firemen, police and other rescue workers can arrive on a scene. This information is critically important to *preventing* horrific emergencies from causing even more extensive harms, and equally important in enabling the work of America's courageous first responders to focus on those who need help most when they do arrive.

To accomplish these public service missions, America's news journalists demonstrate their own bravery and fearlessness, standing strong in the midst of storms bearing down and rushing in to crises rather than away from them – all to bring American citizens the most important information in the most timely way. But make no mistake, this information only gets to Americans – on all of their myriad broadcast *and* broadband devices – because of the marvels of wireless microphones. Whether a viewer or listener is getting information from a television set, laptop or smart phone, the journalist in the field is almost certainly relying on an extremely efficient, low power wireless microphone. These devices – typically operating at just 50 milliwatts and utilizing just a sliver of precious spectrum – serve a central but underappreciated function in the dissemination of news and information.

We appreciate that the Commission is evaluating a complex and unprecedented broadcast spectrum incentive auction, and we have no desire to slow down or interfere with that process.

We hope for nothing but success as the auction goes forward. But as the Commission considers these complex issues, especially as it assesses an appropriate band plan for future broadcast and wireless services, it concerns us that little or no apparent effort is underway to preserve the current spectrum that wireless microphones rely on for interference-free service. We therefore urge the Commission to ensure that, even after the conclusion of the incentive auction contemplated by this proceeding, electronic news gatherers maintain the same ability they have today to use wireless microphones without risk of interference.

Specifically, we ask that the Commission retain in each market the two channels reserved today for wireless microphone use. To be clear, we are not seeking any new accommodations or set asides; rather, we are asking only that the Commission preserve the *status quo* so that we can be assured of having a place to operate post-auction. If the FCC values the service that newsgatherers provide, it must reserve some exclusive-use spectrum for wireless microphones so that these devices can operate without risk of interference. And given that the band plan discussions do not appear to contemplate a future with clean spectrum for microphones, we fear that the Commission inadvertently may be heading down a path that puts newsgathering at risk. Suffice it to say, a band plan that eliminates all dedicated spectrum for wireless microphones – just 3 years after the Commission created the two-channel reservation with the express recognition of its importance – would be highly arbitrary and capricious.¹

Put simply, when major news stories break, wireless microphone usage becomes critical. And given the robust competition in the video marketplace, a news story today is apt to be covered by dozens of electronic newsgathering organizations, including not only local TV and radio stations, but also national broadcast and cable networks, international journalists, traditional print outlets that are embracing multimedia and even online-centric news organizations and bloggers – all of whom together might bring hundreds of wireless microphones to a single event. Examples abound, from the recent devastating tornados in Oklahoma, to the Boston Marathon bombings, to last year’s Superstorm Sandy, to the plane crash in the Hudson River, to the Snowmageddon and Derecho storms that wracked the Washington, D.C. area. Each was a fast-developing news story during which viewers depended on news outlets for critical public safety information. And in each case, millions of Americans were glued to their televisions to follow the latest updates and receive potentially life-saving information. Indeed, as news outlets provided wall-to-wall coverage of the manhunt for the Boston Marathon bombers, nearly 70% of all local households were watching a local broadcast or local cable news station on television. An additional 11% of households watched a national cable channel’s coverage. These are numbers that out-pace viewership for the most-watched events on television, including even the Super Bowl.

Importantly, interference-free use of wireless microphones was integral to reliable coverage of these events. And without the two reserved channels for wireless microphones, it would be virtually impossible to guarantee an interference-free experience for newsgatherers in large

¹ See *In re Unlicensed Operation in the TV Broadcast Bands*, 25 FCC Rcd 18661, ¶ 29 (2010) (reserving two UHF channels in markets nationwide to “provide frequencies where a limited but substantial number of wireless microphones can be operated on any basis without the potential for interference from TV bands devices” and “ensur[ing] that frequencies are available everywhere for licensed wireless microphones used on a roving basis to operate without risk of receiving harmful interference from TVBDs”).

markets, given the multitude of unlicensed broadband devices that are (or may be) permitted to operate on the same frequencies.

We appreciate your consideration of these vitally important issues, and we hope that you will continue to reserve two channels per market for interference-free wireless microphone use. The current two-channel safe harbor has allowed wireless microphones to serve as an absolutely essential link in the emergency response chain for many Americans. The Commission should not take lightly the risk of interference depriving consumers of audio from breaking news and emergency events.

This letter is being submitted electronically in the above-referenced docket, which has been granted permit-but-disclose status, pursuant to Section 1.1206(b) of the Commission's Rules.

Respectfully submitted,





HEARST *television inc*



Mission Broadcasting, Inc.



California Oregon Broadcasting, Inc.
Established 1933



Journal Broadcast Group