



FCC Adopts Order to Clear Wireless Microphones from the 700 MHz Band

On January 15 2010, the FCC released a *Report and Order and Further Notice of Proposed Rulemaking* that requires all low auxiliary stations, including wireless microphones, to cease operation in the 700 MHz band (*i.e.* channels 52 – 69) no later than June 12, 2010. The FCC says it has taken this action to “...ensure that public safety and commercial licensees can operate in the 700 MHz Band without interference, while providing entities currently operating wireless microphones in the band with an opportunity to relocate to other bands.” The order also authorizes the use of wireless microphones, on an unlicensed basis, by entities not currently eligible to obtain licenses. The Further Notice portion seeks comment on a range of issues concerning the operation of these low power devices in the core TV bands.

More specifically and among other things, the Report and Order adopts the following:

- Requires that all low power auxiliary stations, including wireless microphones, cease operations in the 700 MHz Band no later than June 12, 2010, one year from the end of the DTV transition.
- Provides for an early clearing mechanism that permits a 700 MHz public safety or commercial licensee that will be initiating operations in a particular market before June 12, 2010 to require users of low power auxiliary stations to cease operations 60 days after notification.
- Modifies the licenses of all low power auxiliary stations deleting any authorization to operate in the 700 MHz Band, effective June 12, 2010. In the event that a low power auxiliary station must cease operations prior to June 12, 2010 under the early clearing mechanisms then the license for that low power auxiliary station will be modified automatically without Commission action deleting the authorization to operate on the 700 MHz Band effective on the date that operations are required to cease in the band.
- Prohibits the manufacture, import, sale, lease, offer for sale or lease, or shipment of wireless microphones and other low power auxiliary stations intended for use in the 700 MHz Band in the United States, effective upon the publication of the rules in the Federal Register, and adopts related marketing and other requirements.
- Regarding currently unauthorized operations of wireless microphones and other low power auxiliary stations, the Report and Order waives Part 15 rules for a limited period to permit unauthorized users of wireless microphones and other low power auxiliary stations to operate on an unlicensed basis under Part 15 pursuant to certain specified technical requirements in the 700 MHz band until June 12, 2010, and in the core TV band until the effective date of the Commission’s actions in response to the Further Notice.

In addition, the Report and Order takes various actions to ensure that consumers are better informed about the rules and policies concerning wireless microphones, which the Commission believes should facilitate compliance with those rules. For example the FCC has:

- Established disclosure requirements to make certain that buyers of wireless microphone equipment understand the limitations on their use of such equipment. For instance, manufacturers, dealers, distributors, and other entities that sell or lease these devices will have to display a consumer disclosure at the point of sale or lease informing consumers of the conditions that apply to the operation of wireless microphones in the core TV bands.
- Created a Consumer Fact Sheet that will inform the public the new rules adopted in the Report and Order, will work with organizations whose memberships include wireless microphone users and will assist consumers who have previously purchased wireless microphones that operate in the 700 MHz Band, by posting information on the FCC’s Web site and by making information available from the Commission’s consumer service representatives through a toll-free number at our call center.

The Further Notice portion of the item takes the following actions:

- Proposes to allow low power wireless audio devices, including wireless microphones, to operate as unlicensed devices under Part 15 of the rules in the core TV band under certain technical conditions.
- Seeks comment on whether, and to what extent, eligibility for obtaining licenses to operate low power auxiliary stations under Part 74 should be expanded, and on whether the FCC should revise Part 90 to facilitate wireless microphone use.
- Seeks comment on possible longer-term approaches for the operation of wireless microphones, based in part on technological innovation such as digital technology, that would enable more efficient operation and improved immunity to harmful interference thereby increasing the availability of spectrum for wireless microphone and other uses.

More information about these new rules along with a copy of the *Report and Order and Further Notice of Proposed Rulemaking* as well as the FCC's new fact sheet is available at:

www.fcc.gov/cgb/wirelessmicrophones.

