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RANKING MEMBER, SMALL BUSINESS

September 17, 2007

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *White Space Devices*

Dear Chairman Martin:

I am writing you in regard to the recent report the FCC's Office of Engineering and Technology (OET) released on its initial testing of television white space devices. Given the unfavorable and inconsistent findings, as well as subsequent comments from various groups marginalizing those results, I urge the Commission to conduct more comprehensive preliminary testing and not rush to develop new rules on this issue before the appropriate scrutiny has been applied.

There is no question of the tremendous consumer benefit that can be reaped from the utilization of TV white space—primarily with rural broadband development. However, we shouldn't allow this amazing potential to cloud our judgment in performing the essential due diligence to ensure these unlicensed devices won't interfere with over-the-air broadcasts or other types of wireless communications.

With the test results that were compiled, I am deeply concerned about the significant implications that could occur with respect to the DTV transition if the Commission and Congress hastily move forward with any rulemaking or legislation. Many in Congress, including myself, are troubled about current state of the DTV transition due to the lack of consumer awareness. We don't want to needlessly undermine this critical effort by prematurely permitting the use of these devices.

My concern is also compounded by a recent admission from the OET's Chief Engineer Julius Knapp, who stated that more valuable testing could have been performed if they were "less constrained by time." If necessary, the Commission should delay its rulemaking deadline to allow more time to perform critical and valuable testing.

As you know, I have long been an ardent advocate of increasing broadband deployment in rural areas because these areas have the most to gain from broadband since

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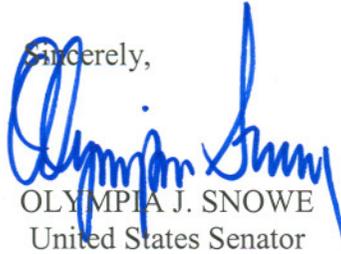
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it and the Internet can remove geographical barriers, globalize local markets, and be a catalyst to economic development. But we must not aggressively pursue any technologies to foster growth in this area if it is at the expense of other critical technologies and services.

Sincerely,



OLYMPIA J. SNOWE
United States Senator

Cc: Commissioner Jonathan S. Adelstein
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Deborah Taylor Tate