



September 18, 2007

Mr. Grant Seiffert
President
Telecommunications Industry Association
2500 N. Wilson Boulevard
Arlington, VA 22201

Dear Grant:

We write to express our concern about an issue of great mutual importance – delivering broadband to rural America – and our desire to work together in the future. The National Association of Broadcasters (NAB) and the Association for Maximum Service Television (MSTV) fully embrace the goal of ubiquitous rural broadband deployment that is so important to our country's information infrastructure. However, we are very concerned that allowing personal and portable devices in the television band of spectrum will cause permanent damage to the digital television broadcast service, a service that is supported by many telecommunications and high tech equipment vendors.

Despite the White Spaces Coalition's assertions, we believe the Federal Communication Commission (FCC) can facilitate rural broadband by conducting a careful spectrum analysis and deploying fixed broadband services. There are ways to utilize spectrum through fixed systems that can offer the advantages of broadband to rural consumers without threatening viewers who rely on over-the-air television. Indeed, IEEE 802.22 is working towards completing standards for such a fixed system that can be used to promote rural broadband services. As we have noted throughout this proceeding, rules can be enacted to ensure that fixed systems do not cause harmful interference to existing spectrum users. The key is to know the location of the transmitting device, which can only be achieved effectively with satellite based geolocation systems. We recently informed FCC Chairman Kevin Martin that broadcasters are committed to help the Commission develop the necessary database to facilitate the deployment of fixed broadband systems in rural areas.

Unfortunately, the White Spaces Coalition does not embrace geolocation as the primary technique to avoid interference. The coalition demands that its approach – sensing – be adopted as the primary means of avoiding interference. The interference caused by the unreliable sensing technology approach advocated for personal and portable devices not only will cause interference to digital television reception, but could also interfere with fixed broadband systems, thereby actually undermining the Commission's rural broadband policies. Recent FCC testing of Microsoft's prototype device manifested the

inability of these devices to avoid interference with digital broadcasts as well as causing interference with cable-ready digital television sets.

The White Spaces Coalition is seeking a fundamental change in the way spectrum is managed. This precedent will not be limited to the television band. From your perspective, there is a fundamental issue of whether the government can force a licensed service to share frequencies with potentially millions of unlicensed devices. If successful, the proponents of white spaces will establish a precedent stating that any existing service or technology may be forced to share spectrum with unlicensed transmitting devices. Moreover, this approach is likely to increase the costs of manufacturing equipment and lead to greater regulation. Issues regarding spectrum efficiency will now rest squarely on equipment performance. Under this regulatory approach, the FCC – in an effort to promote spectrum efficiency – must become increasingly involved in regulating equipment quality. Finally, economists continue to debate which system – licensed or unlicensed – best promotes technological development. Whatever the outcome of this debate, it is extremely risky for licensed and unlicensed systems to share the same spectrum. This is why broadcasters, television set manufacturers; wireless microphone manufacturers and medical alert device providers have expressed significant concern.

We strongly urge you to oppose entering this debate about opening the broadcast spectrum to personal and portable unlicensed devices. Because we have common interests with several of your member companies, we very much want to work with you and your members on exciting innovations such as the development of mobile video applications. Thank you in advance for your consideration; we welcome the opportunity to discuss the issue further.

Sincerely,



David K. Rehr
President and CEO
National Association of Broadcasters



David Donovan
President
Association for Maximum Service Television