

October 2, 2007

The Honorable Kevin J. Martin, Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Dear Chairman Martin:

I am writing in regards to a proposal pending before the FCC which would permit personal and portable unlicensed transmitting devices to use vacant television airwaves to deliver wireless high-speed Internet service.

After initial testing by the FCC's Office of Engineering and Technology on digital TV performance, many questions remain about whether these devices are likely to cause harmful interference to television reception for consumers and impair coverage of news and sporting events by interfering with wireless microphones.

Unlicensed transmitting devices would operate on the vacant channels that are immediately adjacent to the TV channels being viewed by consumers. Recent testing of a damaged test device data indicate that interference occurred in 80 to 87% of a television coverage area, where even a small level of interference froze digital pictures. However, findings also demonstrated that one prototype worked effectively and avoided interference into incumbent licensees. Given the discrepancies in these findings, I urge the Commission to conduct more comprehensive testing before any ruling is made.

Expanding rural broadband opportunities is an important public policy objective. I strongly believe that using these white spaces can have tremendous consumer benefits. Such devices would be a great foundation to promoting rural broadband, while also improving spectrum efficiency. Nevertheless, this objective should not be achieved in haste.

As you move toward issuing a decision on white spaces, I urge you to conduct significant testing in real-world situations and only allow these devices to enter the television band when the FCC is certain that they will not harm consumers and cause interference.

Sincerely,

FRANK PALLONE, JR.
Member of Congress

CC: The Honorable Michael J. Copps
The Honorable Jonathan S. Adelstein
The Honorable Deborah Taylor Tate
The Honorable Robert M. McDowell
Mr. Julius Knapp, Chief, Office of Engineering and Technology
Ms. Monica Dasai, Chief, Media Bureau