

Congress of the United States
Washington, DC 20515

May 17, 2007

Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street SW
Washington D.C., 20554

Dear Chairman Martin:

The Federal Communications Commission (FCC) currently has underway a Rulemaking proceeding for unlicensed operation in the TV broadcast bands (ET Docket Number 04-186) commonly referred to as "white spaces." The proceeding is meant to examine the white space bands and determine what devices should be allowed to operate within those spectrum bands without a federal license.

Currently, common devices such as wireless microphones used by industries as large as Broadway Theatres and as small as local entities such as churches and community centers operate in this spectrum. At the same time many manufacturers of high tech consumer electronic devices are developing new and exciting technologies which wish to make use of this same unlicensed spectrum. As Members of Congress representing parts of New York City we are particularly concerned with the possibility that new devices may cause damaging interference to incumbent devices such as wireless microphones, a prospect particularly troubling to the Broadway Theatre Industry which contributes nearly \$5 billion to the New York City economy.

Currently the FCC is set to complete its white spaces proceeding by the Fall of 2007. Recognizing that this issue has been in front of the FCC for some time now we would like to see it completed as scheduled as long as the FCC has taken the appropriate action to ensure that any new devices allowed to operate in this valuable spectrum will not cause any interference to incumbent devices.

Taking this a step further, should the Commission deem these devices eligible to operate in the television broadcast spectrum we request that it allocate adequate ranges of such spectrum for the sole use of incumbent wireless microphone devices to further protect not only the industries that rely up on them but also the neighborhood organizations and churches which could feel significant negative effects if devices are approved but still cause some interference. For a multi-billion dollar industry like Broadway even the smallest amount of interference could prove disastrous not only to the

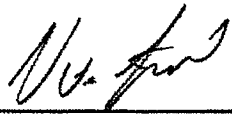
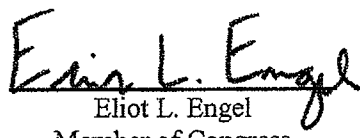
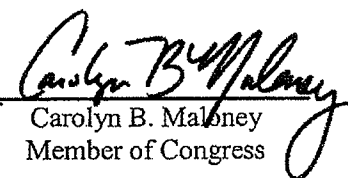
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average paying customer but also to technology used to bring the Broadway experience to hearing impaired individuals

We believe that this plan will allow for the timely release of exciting new consumer electronic devices to consumers while at the same time protecting industries which rely on the operation of incumbent wireless microphone devices for their success as well as for the local churches and community centers who make use of such devices as well.

We ask that you consider this request in a timely manner in keeping with all of the relevant rules and regulations of the FCC and look forward to receiving your reply.

Sincerely,

		
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Vito J. Fossella Member of Congress	Eliot L. Engel Member of Congress	Carolyn B. Maloney Member of Congress

cc:

The Honorable Michael J. Copps
The Honorable Jonathan S. Adelstein
The Honorable Deborah Taylor Tate
The Honorable Robert M. McDowell