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October 12, 2017

Chairman Ajit Pai
Commissioner Mignon Clyburn
Commissioner Michael O’Rielly
Commissioner Brendan Carr
Commissioner Jessica Rosenworcel
c/o Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: ET Docket No. 14-165 and GN Docket Nos. 12-268 and 14-166 Via Electronic Filing

Dear Chairman Pai, Commissioner Clyburn, Commissioner O’Rielly, Commissioner Carr, Commissioner Rosenworcel, and Ms. Dortch,

I am writing to you on behalf of the Alliance of Resident Theatres/New York, (A.R.T./New York) the service and advocacy organization for New York City’s 380 nonprofit theatres. Collectively, our members provide approximately 19,475 productions, readings and educational programs each year to an audience of 6,093,102 students and adults. **I write with concern about available spectrum and protection for our wireless microphones and backstage communications devices.**

For 46 years A.R.T./New York has assisted our nonprofit member theatres in managing their companies effectively so that they may realize their rich artistic visions and serve their diverse audiences well. Over the years, A.R.T./New York has earned a reputation as a leader in providing progressive services to its members – from

shared offices, rehearsal spaces and the A.R.T./New York Theatres, to the nation's only revolving loan fund for real estate, to specialized training for small and mid-sized theatres – which have made the organization an expert in the needs of the Off Off Broadway community.

We strongly support the Commission's proposal to expand Part 74 license eligibility to include persons and organizations that can demonstrate the need for professional, high-quality audio and have the capability of providing it through conscientious use of wireless microphones. We support and endorse the Comments filed in these dockets by The Performing Arts Wireless Microphone Working Group.

Professional performing arts organizations hold thousands of performances each year, and wireless microphones are essential to producing high-quality performances while mitigating significant public safety concerns. Professional wireless capability, with successful interference protection, is essential to our sector.

The Alliance of Resident Theatres/New York manages two small theatres (the Mezzanine which seats up to 180 people and the Gural which seats up to 84 people). We use wireless microphones in both small theatre spaces. These include:

- An assortment of wireless handheld and lavalier microphones
- A Free Speak Communications System that includes wireless belt packs;
- 5-20 devices per performance; more when we present musicals.
- Every one of our productions uses some sort of wireless microphone on a daily basis.

The bands and channels we use are:

- Low UHF (channels 14–36, 470 to 608 MHz) Wireless microphones in the G50 band; our wireless communications system, Free Speak II is 1.9 Ghz band
- Our wireless microphones can tune to any frequency within the G50 band (470-534 Mhz).

All of our wireless microphones are digital, and we own our own equipment which has a life expectancy of three to five years. Sometimes our companies rent additional wireless microphones.

Finally, the Alliance of Resident Theatres/New York has an experienced audio technician, Chris Connolly, on staff. Chris serves as the Production Manager/Technical Director of the A.R.T./New York Theatres. He has over 15 years of experience in the field, including Off

Broadway work with the Blue Man Group, MCC Theatre, and Lincoln Center Theater;) managing Special Events with Bentley Meeker Lighting and Staging (at venues from the White House to the Plaza Hotel to museums throughout New York City). Chris has experience coordinating wireless frequencies as part of building installations, as well as for short and long-term usage.

I would urge the Commission to grant a Part 74 license if an applicant can provide certification of:

- A mission statement of providing performing arts to the public;
- A history of professional-quality wireless audio presentations to audiences without interference;
- Technical guidance and frequency coordination by qualified professionals (active in audio engineering who have academic degrees or equivalent professional experience and who are familiar with radio-frequency coordination);
- A commitment to register for protection only the frequencies, times, and locations actually needed; and
- A practice of keeping logs of all wireless microphone uses, including frequencies, for all performances.

We appreciate that the Commission has sought Public Comment on this critical issue. Without access to a reliable spectrum that provides protection from interference, our members' performances risk being less than professional! Already many of our members have spent thousands of precious dollars vacating the 700 MHz band and purchasing new equipment. Should they be forced to do so again, in these challenging times, would create an unnecessary burden on our small and mid-sized companies. If purchasing new equipment is an outcome, will the FCC be able to provide assurance that the new system will work properly without interference?

A recent study commissioned by New York City Department of Cultural Affairs called, ***The Social Well-Being of New York City's Neighborhoods!*** led by Mark J. Stern and Susan Seifert of the University of Pennsylvania, stated that, "across the board, cultural participation correlates with improved health, personal security and school effectiveness," leading to "greater measurable impact in social well-being." For this reason A.R.T./New York respectfully endorses the Commission's proposal to expand Part 74 LPAS rules that will accommodate performing arts organizations and educational institutions that use fewer than 50 wireless microphones.

Sincerely,

Virginia P. Louloudes, Executive Director