STATEMENT OF
COMMISSIONER MIGNON L. CLYBURN

Re: *In the Matter of Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Guard bands and Duplex Gap, and Channel 37, and*

Amendment of Part 74 of the Commission's Rules for Low Power Auxiliary Stations in the Repurposed 600 MHz Band and 600 MHz Duplex Gap; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions,

Promoting Spectrum Access for Wireless Microphone Operations; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions.

To casual observers, the world's first ever reverse incentive auction is only about broadcast TV stations turning in their spectrum licenses so they can be resold for commercial wireless services. But a successful incentive auction will also impact the amount of spectrum available for other important communications services, such as wireless microphones, wireless medical telemetry and TV White Space services. So I am glad that, when we initiated the incentive auction proceeding in 2012, the FCC took an approach to explore how we could protect as many incumbent services as possible.

These two Notices continue with this commitment. Since the Incentive Auction Order would permit TV White Space devices and wireless microphones to use the duplex gap and other guard bands, the Part 15 NPRM proposes detailed technical rules that would allow those services to operate without interfering with each other or neighboring services. Although there is a proposal to allow TV White Space devices to operate in channels where they were previously excluded, the Notice proposes rules that are intended to protect the incumbent services such as medical telemetry.

There are also a number of great proposals in the companion NPRM on wireless microphones. In that Notice, we are developing a framework to accommodate the current and future needs, of licensed and unlicensed wireless microphones. We are considering rule changes for licensed operations in all the bands, where wireless microphones currently operate. We also identify new spectrum bands, for wireless microphones.

If you review the record in this proceeding, you will notice many presentations from broadcasters and other parties, who manufacture or use wireless microphones, advocates for deployment of unlicensed TV White Spaces, and users of wireless medical telemetry services. All of these presentations have a common refrain. Our technology provides critical services. The prior Commission decisions have taken too much spectrum from us. The technical arguments of our opponents are flawed.

In my opinion, these Notices respond to these charges, in three simple, but important ways. First, we agree that these technologies provide important services. Second, all parties will have to learn to live together in a spectrum constrained environment. Third, and with apologies to the lawyers on my staff and those in the room, now is the time to kick the lawyers out of the room, and let the engineers rule.

Well; ok. I know the lawyers will never leave the room, but, the engineers must lead the way. I trust they will collaborate on tests in order for us to establish the proper technical rules that will accommodate all these services. We owe this to the consumers who use these technologies. Thank you, Hugh Van Tuyl and Paul Murray for your presentations, and I commend Gary Epstein, Julie Knapp, Ira Keltz, Geraldine Matise, and Roger Sherman and all of the staff members, who worked so hard on these excellent Notices.