

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions)	GN Docket No. 12-268
)	
Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002)	AU Docket No. 14-252
)	

**REPLY COMMENTS OF
RADIO TELEVISION DIGITAL NEWS ASSOCIATION**

The Radio Television Digital News Association (“RTDNA”) hereby replies to comments submitted in response to the Commission’s Public Notice seeking input on procedures for the broadcast incentive auction.¹ RTDNA is the world’s largest professional organization devoted exclusively to electronic journalism. RTDNA represents local and network news executives in broadcasting, cable and other electronic media in more than 30 countries.

We address AT&T’s comments in particular, which argue that, if the FCC insists on repacking some broadcasters within the new 600 MHz wireless band, the Commission should locate them in the duplex gap.² The Commission should reject this proposal and

¹ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, Comment Sought on Competitive Bidding Procedures for Broadcast Incentive Auction 1000, Including Auctions 1001 and 1002*, Public Notice, GN Docket No. 12-268, AU Docket No. 14-252, FCC 14-191 (rel. Dec. 17, 2014) (“Comment PN”).

² Comments of AT&T at 28, AU Docket No. 14-252, GN Docket No. 12-268 (filed Feb. 20, 2015) (“AT&T Comments”).

reserve the duplex gap exclusively for licensed wireless microphone use so that the already reduced allocation for wireless microphones is not further degraded.

In its Incentive Auction Order, the Commission noted that wireless microphones “play an essential role in enabling broadcasters and other video programming networks to serve consumers, including helping to cover breaking news.”³ Despite this recognition, the Commission abandoned its relatively newly minted requirement that each market reserve two channels (i.e., 12 megahertz) for exclusive use by licensed wireless microphones.⁴ The Commission reasoned that continuing to reserve two channels “would significantly reduce the amount of spectrum available for auction and repurposing for wireless services, particularly in many of the larger markets across the nation.”⁵

In lieu of the two reserved channels, the Commission determined that it could continue to meet the wireless microphone needs of entities covering breaking news by providing 4 megahertz of exclusive-use spectrum in the duplex gap of the new 600 MHz wireless band.⁶ The Commission asserted “that the public interest will be served by allowing broadcasters and cable programming networks using wireless microphones on a licensed basis in a portion of the duplex gap to obtain interference protection.”⁷ In the Commission’s view, the duplex gap provides an opportunity to use otherwise fallow spectrum that, if dedicated exclusively to licensed wireless microphone use (at least in part), would not affect its ability to repurpose broadcast television spectrum.

³ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Report and Order at ¶ 300.

⁴ *Id.* at ¶ 310.

⁵ *Id.*

⁶ *Id.* at ¶ 314.

⁷ *Id.*

AT&T's proposal to place broadcasters stranded in the new 600 MHz wireless band in the duplex gap would undermine news gathering operations' ability to serve the public in the manner envisioned by the Commission in its Incentive Auction Order. For each market in which a broadcaster was placed in the duplex gap, news operations in that market would be left without assurances that they could cover breaking news to the extent possible in other local markets. This approach would run counter to the Commission's finding that some exclusive 600 MHz spectrum is necessary for licensed wireless microphone operations. Having already slashed its allocation for wireless microphones by two-thirds down to 4 megahertz, the Commission cannot feasibly reduce it any further.

We note that AT&T was the *only* commenter to support repacking broadcasters in the duplex gap.⁸ Every other commenter addressing the issue recommended against placing broadcast television stations in the duplex gap, whether due to the need to preserve spectrum for wireless microphones⁹ or other pertinent interference considerations.¹⁰ While RTDNA understands AT&T's struggle with how to account for the widespread market variability included in the Commission's proposed band plan, placing TV stations in the duplex gap merely exacerbates the infirmities already inherent in that approach.

⁸ AT&T Comments at 28.

⁹ See, e.g., Comments of Shure Incorporated at 4-5, AU Docket No. 14-252, GN Docket No. 12-268 (filed Feb. 20, 2015); Comments of Sennheiser Electronic Corporation at 2, AU Docket No. 14-252, GN Docket No. 12-268 (filed Feb. 20, 2015).

¹⁰ See, e.g., Comments of CTIA – The Wireless Association at 5, AU Docket No. 14-252, GN Docket No. 12-268 (filed Feb. 20, 2015); Comments of Verizon at 17-19, AU Docket No. 14-252, GN Docket No. 12-268 (filed Feb. 20, 2015).

