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BOOTH, FRERET, IMLAY & TEPPER, P.C.

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August 2, 2002

Via Hand Delivery

Honorable Michael Powell
Chairman
Federal Communications Commission
445-12th Street, N.W., 8th Floor
Washington, D.C. 20554

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AUG - 6 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Critical Spectrum Shortages for Broadcasts of Sports and News events;
Spectrum Policy Task Force Proceeding; ET Docket No. 02-135

Dear Chairman Powell:

This office serves as a contact point for the **News and Sports Production Coalition**, which comprises representatives of broadcast networks, cable networks, local television stations, sports leagues, and video production companies (as well as trade associations whose members include those entities) actively involved in the production of sporting and news events for the benefit of American television viewers. The current participants in this coalition are as follows:

Broadcast Sports, Inc.
CBS Sports Operations
NBC Sports Operations
Fox Sports
Fox Group
NCTA
National Football League
Turner Sports, Inc.
The C-Span Networks
MSTV
NBC Washington

ESPN, Inc.
Broad-Comm, Inc.
ABC News
ABC Sports
Post-Newsweek Stations
NAB
RTNDA
The Golf Channel
Tribune Broadcasting
SBE
Fox News

The Coalition's concerns are with respect to spectrum shortfalls in the context of short-term, itinerant television newsgathering and reporting, and video coverage of live sporting events for the benefit of the viewing public. The attached letter, supported by each of the coalition members, speaks for itself.

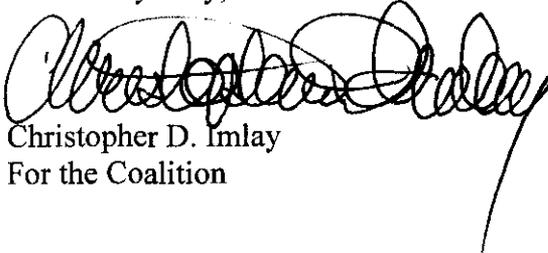
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Chairman Powell
Page Two
August 2, 2002

The Spectrum Policy Task Force is the proper entity to address these issues initially. However, the Commission has taken certain actions recently which have exacerbated the problems referenced in the attached letter. The Commission should not further reduce the spectrum available for stations in the Broadcast Auxiliary Service (BAS) and the Local Television Transmission Service (LTTS); it should not further expand eligibility categories for licensing in the BAS and LTTS allocations; and it should develop a policy for this and other spectrum that provides opportunities for short-term, itinerant newsgathering and video coverage of sporting events. This is especially urgent during the digital transition, which poses unique video production challenges.

The Coalition would appreciate the opportunity to present its concerns and proposed solutions on a formal basis at your convenience.

Yours very truly,



Christopher D. Imlay
For the Coalition

Cc: All Coalition Members
All Commissioners
W. Kenneth Ferree
Roy J. Stewart
Edwin Thomas
Bruce Franca
Julius Knapp
Lauren M. Van Wazer
Thomas Sugrue

NEWS AND SPORTS PRODUCTION COALITION

July 31, 2002

Via Hand Delivery

Honorable Michael Powell
Chairman
Federal Communications Commission
445-12th Street, N.W., 8th Floor
Washington, D.C. 20554

Re: Critical Spectrum Shortages for Broadcasts of Sports and News events;
Spectrum Policy Task Force Proceeding; ET Docket No. 02-135

Dear Chairman Powell:

The undersigned are representatives of broadcast networks, cable networks, local television stations, sports leagues, and video production companies (as well as trade associations whose members include those entities) actively involved in the production of sporting and news events for the benefit of American television viewers (collectively the "News and Sports Production Coalition"). The purpose of this letter is to summarize the regulatory difficulties under which members of the News and Sports Production Coalition operate in attempting to provide what the viewing public has come to expect from live newsgathering and reporting and sporting events using limited spectrum in the Broadcast Auxiliary Service (BAS). Our focus is on microwave video relay, wireless microphones, wireless RF cameras, and voice and data coordination channels at UHF.

Members of the News and Sports Production Coalition have for years incorporated new technology and efficient spectrum re-use techniques on a voluntary, cooperative basis in order to make maximum use of the BAS bands at 2, 2.5, and 7 GHz. Directional antennas, antenna polarization, minimum power, digital modulation schemes, and creative coordination techniques for sharing have been implemented by the video production community and the frequency coordinators of the SBE so that the limited bands allocated to BAS can be shared by all.

Nevertheless, given (1) recent reductions in the BAS allocation at 2 GHz (by reallocation of the 1990-2025 MHz segment); (2) the obligations placed on the video production community by the viewing public for real-time video at each hole at a golf match, or in-car cameras at NASCAR and other automobile races, for example, or for on-scene coverage in the aftermath of a natural disaster; and (3) the saturation of the limited allocations for mobile newsgathering operations by news organizations for routine remote broadcast operation places impossible burdens on video production entities.

At this point, the BAS bands at 2, 2.5, and 7 GHz are saturated in all metropolitan areas. In major markets such as New York and Los Angeles, the 2 GHz band is shared by

twenty or more TV stations, networks and cable operators. An event such as a political convention, or a Grand Prix race or golf match cannot be accommodated through normal methods. Video production companies are forced to accomplish their tasks for the networks by use of channels "leased" from Aeronautical Flight Test Telemetry allocations pursuant to Special Temporary Authority; channels temporarily "borrowed" from ITFS licensees or the Amateur Radio Service for short periods, again by STA; and by use of Experimental licenses. The process is not dependable, is burdensome for the Office of Engineering and Technology's Experimental Licensing Branch (which is, incidentally, to be complimented for their superb response on a regular basis) and is in many cases a prohibitively expensive exercise, and requires the consent of licensees in other services, which is often not forthcoming. Preclusive interference is the inevitable result of further overcrowding of existing bands.

Advances in digital technology are not a solution to this problem, since digital technology is already incorporated in video production. Typical RF cameras use COFDM digital modulation, but the saving in bandwidth from that conversion has already been factored into the equation, and the limited allocations remain severely overcrowded. The channel bandwidth has been reduced thereby, but the number of channels is nonetheless far too small. There are no microwave channels with video bandwidth available in most markets across the United States for providing coverage of outdoor sporting events, or other newsworthy events such as political conventions, in the manner that the public has grown accustomed to viewing.

Furthermore, spectrum for wireless microphones, which operate in unused UHF television channels, has been reduced dramatically by use of those channels for DTV, the loss of UHF channels 60 to 69, and the imminent loss of UHF channels 52-60. The small guard bands remaining would not be enough by any means. The wireless microphone is one technology that may not necessarily benefit from a move to digital technology. A permanent allocation is required for these devices (which require power levels and field strengths in excess of those permitted for unlicensed Part 15 devices), so that they can be used in the future.

UHF communication channels to coordinate video operation are also inadequately accommodated by present Part 74 regulations. These channels, for sports and newsgathering, must be itinerant, and the rules must permit sufficient power to allow portable transceivers to cover an entire golf course, for example. There are too few such channels available, and the permitted Part 74 power levels are insufficient to be useful for coordination over the distances found at an automobile race track or golf course, for example.

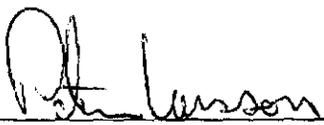
Temporary operation is in this instance both the problem and the key to a solution. The Commission is presently studying the concept of secondary markets in spectrum (see WT Docket No. 00-230, presently pending) However, the present docket proceeding is conceptually too narrow to be of any utility to members of the News and Sports Production Coalition. The uses are of very short duration, in very limited geographic venues. Use of 8- to 10 MHz channel bandwidths in bands between 1 and 7 MHz

allocated to other services on a coordinated, engineered basis for temporary broadcast production can be done without disruption of ongoing operations by licensed services. This regulatory flexibility is critical to alleviating the spectrum shortages now suffered in the Television Broadcast and BAS services.

An additional issue relates to the regulatory administration of the Broadcast Auxiliary Service at the Commission. Presently, BAS policymaking is in something of a vacuum between the Media Bureau and Wireless Telecommunications Bureau, which administers the licensing function for BAS. The Band Manager concept has some potential application here, inasmuch as Band Managers can more readily accommodate short-term, itinerant, and occasionally unpredictable operation than can the Commission's staff.

Millions of Americans rely on, and have come to expect, high quality production in live sports and news events. Our ability to provide a good-quality product is in severe jeopardy and it is urgent that the Commission address the matter without delay. We would appreciate the opportunity to provide further information and demonstrations of the issues discussed herein to you and the Commission's staff at your convenience.

Yours very truly,



A.M. Broadcast Sports

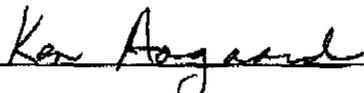
cc: Commissioner Kathleen Abernathy
Commissioner Michael Copps
Commissioner Kevin Martin
W. Kenneth Ferree
Roy J. Stewart
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Lauren M. Van Wazer
Thomas Sugrue

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Yours very truly,



KEN AAGAARD
SR. V.P., CBS SPORTS OPERATIONS

cc: Commissioner Kathleen Abernathy
Commissioner Michael Copps
Commissioner Kevin Martin
W. Kenneth Ferree
Roy J. Stewart
Edwin Thomas
Bruce Franca
Julius Knapp
Lauren M. Van Wazer
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Yours very truly,

Michael S. Miller
VP NBC Sports Operations

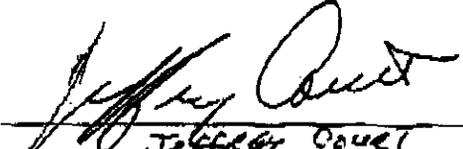
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Yours very truly,


Jeffrey O'Connell
VP FIELD OPERATIONS (NETWORK) FOX SPORTS
310-444-8222 (office)

- cc: Commissioner Kathleen Abernathy
- Commissioner Michael Copps
- Commissioner Kevin Martin
- W. Kenneth Ferree
- Roy J. Stewart
- Edwin Thomas
- Bruce Franca
- Julius Knapp
- Lauren M. Van Wazer
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President, Engineering, Fox Group

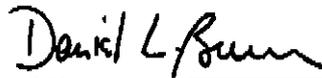
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Yours very truly,



Daniel L. Brenner
Counsel for the National Cable &
Telecommunications Association
1724 Massachusetts Avenue, N.W.
Washington, D.C. 20036-1903
(202) 775-3664

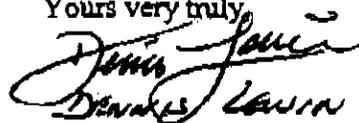
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Yours very truly,



DENNIS LEWIN
Sr. VP BROADCASTING & NETWORK TV
NATIONAL FOOTBALL LEAGUE
280 PARK AVE
NEW YORK, NY 10017

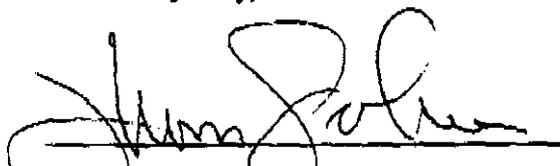
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TURNER SPORTS INC

cc: Commissioner Kathleen Abernathy
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Yours very truly,



Bruce D. Collins
Corporate V.P. & General Counsel
The C-SPAN Networks

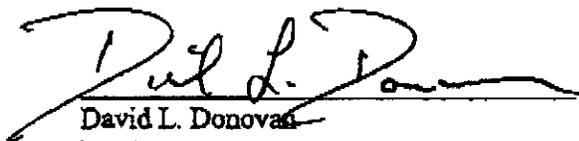
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Yours very truly,



David L. Donovan

President

Association for Maximum Service Television

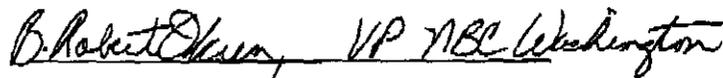
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B. Robert Okun, VP, NBC Washington

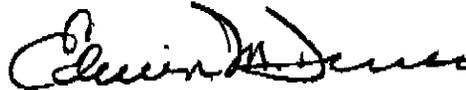
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Edwin M. Durso
Executive Vice President, Administration
ESPN, Inc.

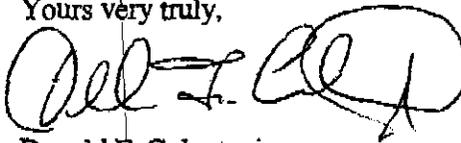
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Donald F. Colantonio
Director of Remote Operations
ESPN, Inc.

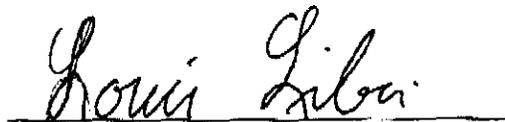
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Louis Libin, President
Broad Comm, Inc.

cc: All Commissioners
W. Kenneth Ferree
Roy J. Stewart
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Yours very truly,



David Westin
President, ABC News

cc: Commissioner Kathleen Abernathy
Commissioner Michael Copps
Commissioner Kevin Martin
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Howard Katz
President
ABC Sports

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Millions of Americans rely on, and have come to expect, high quality production in live sports and news events. Our ability to provide a good-quality product is in severe jeopardy and it is urgent that the Commission address the matter without delay. We would appreciate the opportunity to provide further information and demonstrations of the issues discussed herein to you and the Commission's staff at your convenience.

Yours very truly,



Alan Frank, CEO, Post-Newsweek Stations, Inc.

cc: Commissioner Kathleen Abernathy
Commissioner Michael Copps
Commissioner Kevin Martin
W. Kenneth Ferrec
Roy J. Stewart
Edwin Thomas
Bruce Franca
Julius Knapp
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National Association of Broadcasters
1771 N Street, N.W.
Washington, D.C. 20036
(202) 429-5430

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President, RTNDA

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David Manougian
President
The Golf Channel

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Commissioner Michael Copps
Commissioner Kevin Martin
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Yours very truly,



Ira Goldstone
VP Engineering & Technology
5800 W. Sunset Blvd. Ste. 304
Los Angeles, CA 90028

cc: Commissioner Kathleen Abernathy
Commissioner Michael Copps
Commissioner Kevin Martin
W. Kenneth Ferree
Roy J. Stewart
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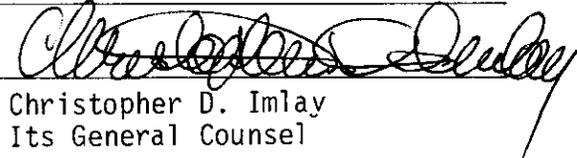
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SOCIETY OF BROADCAST ENGINEERS, INC.

By:


Christopher D. Imlay
Its General Counsel

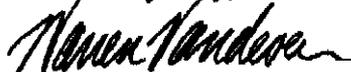
cc: All Commissioners
W. Kenneth Ferree
Roy J. Stewart
Edwin Thomas
Bruce Franca
Julius Knapp
Lauren M. Van Wazer
Thomas Sugrue

Temporary operation is in this instance both the problem and the key to a solution. The Commission is presently studying the concept of secondary markets in spectrum (see WT Docket No. 00-230, presently pending) However, the present docket proceeding is conceptually too narrow to be of any utility to members of the News and Sports Production Coalition. The uses are of very short duration, in very limited geographic venues. Use of 8- to 10 MHz channel bandwidths in bands between 1 and 7 MHz allocated to other services on a coordinated, engineered basis for temporary broadcast production can be done without disruption of ongoing operations by licensed services. This regulatory flexibility is critical to alleviating the spectrum shortages now suffered in the Television Broadcast and BAS services.

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Warren Vandever
Vice President
Operations and Engineering

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