

**From:** Jim Snider  
**Sent:** Thursday, September 02, 2004 2:23 PM  
**To:** 'jmikes@fcc.gov'; 'bohlson@fcc.gov'  
**Cc:** Michael Calabrese; Harold Feld (E-mail); 'Andrew Schwartzman'  
**Subject:** Docket 03-185 on LPTV and Translator stations going into sunshine at 4pm today  
**Importance:** High

Johanna and Barry--

I am writing to you about Docket 03-185, which is going into sunshine today at 4pm. Mike Calabrese met with Jordan Goldstein and Paul Margie this morning to discuss this proceeding. There was a general consensus that if this proceeding goes through, it will effectively kill the proposal (Docket 04-186) for unlicensed sharing in the broadcast bands. In particular, the Commission must decide whether it wants to use up the lion's share of rural broadcast band white space for TV translator stations or for rural broadband Internet service. It's been our understanding that expanding rural broadband Internet service was a higher priority than expanding the spectrum used by conventional broadcasting service. Moreover, this expansion in rights comes with no attached PIOS. If this order gets passed, it will invite huge speculation in the broadcast band.

Our first choice would be to pull this item from next week's agenda. Our second choice would be a requirement that any additional services in the same band be on an unlicensed or co-equal basis with unlicensed service. We also oppose "loaning" a second channel to existing licensees.

Please consider putting a call into Bryan Tramont (or Sheryl Wilkerson) and Ed Thomas to ask the chairman pull this item from next week's agenda.

Thank you very much for your consideration.

--Jim Snider

P.S. You can ignore the phone messages I left for both of you.

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