Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Unlicensed Operation in the	)	**ET Docket No. 04-186**
TV Broadcast Band	)	

To: The Commission (filed electronically)

COMMENTS OF THE COMMUNITY BROADCASTERS ASSOCIATION ON OET REPORT OF INITIAL MEAUSREMENTS ON TV WHITE SPACE DEVICES

1. The Community Broadcasters Association ("CBA") hereby submits these Comments with respect to the Office of Engineering and Technology's ("OET") Report of Initial Measurements on TV White Space Devices.[1] The CBA is the trade association of the nation's Class A and Low Power Television ("LPTV") stations and represents the interests of those stations in legislative, regulatory, and judicial forums.

2. Class A and LPTV stations outnumber full power TV stations by approximately two-to-one, according to the Commission's *Broadcast Totals* news release dated January 26, 2007. Class A and LPTV stations are viewed over-the-air more than any other class of station, and their signals have the lowest signal strength. Thus CBA is obviously alarmed at the OET findings that prototype White Space devices do not reliably detect the presence of usable broadcast signals. If these professional devices failed to exclude channels that might be occupied by weak television broadcast signals, CBA fears that the performance of consumer-grade devices will be disastrous.

3. CBA's members represent small businesses and local owners, who for the most part do not enjoy access to the predominant cable and satellite video distribution systems. They stand to suffer far more than their full power brethren who do enjoy cable and satellite access if

[1] Comments were invited by Public Notice DA-07-3457, released July 31, 2007.

interference occurs in the broadcast band. These stations are just now embarking on the transition to digital broadcasting[2] and will suffer serious injury if their digital signals are degraded and turn into random pixels.

4. As CBA has previously urged in written comments in this proceeding, if White Space operations are authorized at all, they must be absolutely confined to spaces that are truly "white," with no TV broadcast signals present at all. That includes blocking out channels occupied by Class A and LPTV stations that are receivable by high-gain rooftop antennas.

5. It will be much more difficult to accomplish the objective of avoiding interference to broadcast reception if White Space channels are chosen by each individual computer user rather than by a centralized base station that has both sensitive receiving equipment and access to a database to anticipate the strength of a TV broadcast signal throughout the TV station's coverage area. CBA believes that the OET report validates its position that any White Space operations must be limited to operations at fixed locations that are held accountable through licensing; and if any personal portable devices are allowed, their frequency selection must be controlled by a licensed centralized beacon that relies on not only sensitive spectrum sensing but also a database that requires exclusion of all broadcast signals expected to reach the user's location.[3] The database must include Class A and LPTV stations, and those stations must be permitted to upload or in some other manner provide information regarding the area where they have actual viewers.

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[2] Class A and LPTV stations are not subject to the February 17, 2009, mandatory cut-off date for ending analog broadcasting, but many of them have been granted construction permits for companion digital channels. CBA anticipates that there will be a very active market in digital transmission equipment at its trade show scheduled for October 28-31, 2007.

[3] For Class A and LPTV stations, this means any viewable signal, extending to the noise-limited contour, not just Grade A signals that are protected from interference by other broadcast stations.

6. Even if the White Space proponents submit new prototypes that work better than the initial models, the Commission must act based on empirical results and not any pre-disposition to favor White Space operation. Empirical results show that the technology has a long way to go before *consumer-grade* devices may be relied on to determine which spectrum is truly vacant. Any trial must start with all White Space operating frequencies selected by only professional-grade licensed equipment and must protect all viewable broadcast signals of any strength.

Respectfully submitted,

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