

# http://

## **Hispanic Technology & Telecommunications Partnership**

Supporting Policies which Ensure High Speed Internet Access for Underserved Communities

### **HTTP Members**

October 1, 2007

*Alianza Dominicana*

*American GI Forum*

*ASPIRA Association*

*Association for the Advancement  
of Mexican Americans*

*Cuban American National  
Council*

*Dialogue on Diversity*

*Hispanic Federation*

*Hispanic Information Television  
Network*

*Interamerican College of  
Physicians and Surgeons*

*Labor Council for Latin American  
Advancement*

*Latinos in Information Sciences  
and Technology Association*

*MANA, A National Latina  
Organization*

*National Association of Hispanic  
Publications*

*National Conference of Puerto  
Rican Women*

*National Hispanic Council on  
Aging*

*National Hispanic Medical  
Association*

*National Puerto Rican Coalition*

*U.S.-Mexico Chamber of  
Commerce*

*U.S. Hispanic Chamber of  
Commerce*

### **Hispanic Technology and Telecommunications Partnership**

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The Honorable Kevin J. Martin  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Re: *Ex Parte* Comments of the Hispanic Technology and  
Telecommunications Partnership

Unlicensed Operation in the TV Broadcast Bands: ET Docket No. 04-186;  
Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz  
Band ET Docket No. 02-380

Dear Chairman Martin:

On behalf of the Hispanic Technology and Telecommunications Partnership (HTTP), a coalition of Hispanic policy organizations representing the interests of 44 million Americans of Hispanic descent on regulatory and legislative issues affecting the Digital Television Transition, I write to express deep concerns about the proposal that would permit personal and portable unlicensed devices on digital broadcast television frequencies.

HTTP members share the belief that equitable access to technology is a critical factor in the social political and economic advancement of the Hispanic community. The Hispanic community has a particularly strong interest in the digital transition since Hispanic households use over-the-air broadcast television at significantly higher rates than the non-minority national average. For example, in Houston nearly 459,852 homes (23.2%) receive signals over the air. Of these over-the-air homes, 290,000 (58.9%) are Hispanic homes. This is typical in many cities with large Hispanic audiences.

The Commission's proposal to permit unlicensed personal and portable devices in the TV band could undermine the ability of Hispanic television viewers to have access to interference-free over-the-air television in the digital era. Interference issues are especially problematic in multi-unit dwellings, where residents share walls. Also in apartments with a master antenna, a single unlicensed portable device can cause interference throughout the building. This is particularly problematic for Spanish language over-the-air viewers, as nearly 40% of Hispanic households reside in multiple dwelling units.

As reported by the Office of Engineering and Technology, the proposed prototype spectrum sensing technology submitted for testing consistently failed to detect broadcast signals and even caused interference to broadcast television signals. Clearly, based on these findings, this sensing technology is inadequate to prevent potentially devastating and widespread interference to the millions of new digital television sets and government subsidized digital to analog converter boxes.

Moreover, even if the devices worked as designed, they would not protect digital television reception. The sensing threshold proposed by the White Spaces coalition is inadequate to protect TV signals. A recent analysis submitted by Microsoft and Philips shows that there are locations within a TV service area that may not receive a signal. Unlicensed devices using sensing technologies will conclude that these are vacant channels. They are not. As a result, the devices will turn on to channels that consumers are trying to watch. This type of interference can spread for miles.

This is the ultimate consumer issue. Permanent and irreparable interference will occur in the living rooms of consumers across America. For many Hispanic households, over-the-air digital television is the lifeline for vital emergency information as well as entertainment, news and sports programs. Because interference makes digital over-the-air television unwatchable, many homes will be denied access to this vital information. Moreover, consumers will have no choice but to shift to pay services, which may be beyond the economic reach of many low income households.

With the DTV transition less than 18 months away, now is not the time to experiment with a new policy that could disrupt the transition and cause permanent damage to consumers. Unchecked interference from new unfixed and unlicensed devices in the TV spectrum could effectively disenfranchise over-the-air digital viewers across America. The "free" information safety net for many Hispanic homes will be lost and they will be left behind in the new digital era.

In view of these concerns, it is essential that the Commission not allow personal and portable unlicensed devices in the broadcast spectrum until there is a proven, guaranteed technological solution that will protect over-the-air digital television from harmful interference. A successful completion of the transition depends upon ensuring that appropriate and sound policies are in place so that the millions of Hispanic viewers who rely on over-the-air television are not disenfranchised and are able to receive the full benefits of the new digital technology.

HTTP believes that the deployment of such unlicensed devices could impede, rather than advance, a seamless and successful transition from analog to digital television and urges you not to allow interfering devices in the television band.

Sincerely,



Manuel Mirabal  
HTTP Co-Founder and Chair

cc: The Honorable Jonathan S. Adelstein, The Honorable Michael J. Copps  
The Honorable Robert M. McDowell, The Honorable Deborah Taylor Tate