



*Office of the General Counsel*

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October 22, 2008

**VIA Electronic Filing**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Washington, D.C. 20554

**Re: Reply Comments WT Docket No. 03-66, RM 10586**

Dear Ms. Dortch:

The United States Conference of Catholic Bishops ("USCCB") submits these reply comments in support of the comments filed by the Catholic Television Network ("CTN") in the above-referenced proceeding on September 22, 2008.

The USCCB is a nonprofit corporation organized under the laws of the District of Columbia. All active Catholic Bishops in the United States are members of the USCCB. USCCB advocates and promotes the pastoral teachings of the Bishops in such diverse areas as education, communications, health care, social welfare, immigration, civil rights, and family life. One of its missions is to help create regulations which strengthen and support the work of Catholic schools in the United States. Making Educational Broadband Service ("EBS") licenses available to as many schools as possible without unduly burdening those schools financially or organizationally is important to furthering the work of Catholic schools to serve their communities.

CTN has proposed to license unassigned EBS spectrum (sometimes called "white space") without competitive bidding by first identifying eligible local educators that wish to use the spectrum, and then licensing the spectrum to those entities that serve the most enrolled students in each Basic Trading Area ("BTA"). To be eligible for EBS white space, parties must (1) have a physical presence within the BTA, (2) be an eligible EBS entity under FCC rules, and (3) provide, or propose to provide, educational services to enrolled students within the white space of the BTA. To maximize opportunities for new entrants and inhibit speculation, interested parties would be limited to seeking EBS licenses in just one BTA and one channel group in the BTA.

CTN's proposal is similar in many respects to the proposal put forward in comments filed on September 22, 2008 by a large segment of the education community including the American Association of School Administrators, National Association of Independent Schools, Association of Educational Service Agencies, Association of School Business Officials International, Consortium for School Networking, International Society for Technology in Education, National

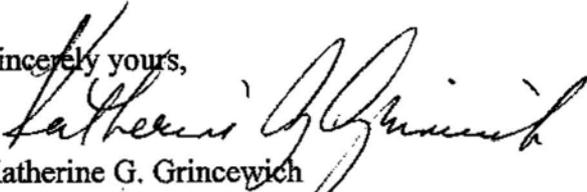
Association of State Boards of Education, National Education Association, National Rural Education Association, Organizations Concerned about Rural Education, and Rural Schools and Community.

The USCCB supports the CTN proposal because it promotes applications from new entrants while not precluding existing licensees from obtaining more spectrum to meet their educational needs. It also puts EBS spectrum into the hands of local entities that serve the greatest number of students. In addition, the CTN proposal encourages collaboration among educators, avoids completely the need for auctions, and requires all new licensees to use the spectrum in satisfaction of the FCC's educational use and substantial service requirements.

Some parties have proposed to license EBS white space through expansion of existing geographic service areas ("GSAs") until they absorb virtually all available white space. GSA expansion proposals are touted as an easy fix to license GSA white space. But, in fact, they would result in random and irrational spectrum assignments to the complete exclusion of new entrants in most major markets. In USCCB's view, licensing EBS white space in this manner would be arbitrary and capricious.

For all of the reasons above, the USCCB believes that adoption of the CTN proposal would best serve the public interest.

Sincerely yours,



Katherine G. Grincewich  
Associate General Counsel