

AFTRA

American Federation of Television and Radio Artists, AFL-CIO

October 27, 2008

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544

Dear Chairman Martin, Commissioner Adelstein, Commissioner Copps, Commissioner McDowell, and Commissioner Tate:

On behalf of the more than 70,000 recording artists, broadcast journalists and professional performers who belong to the American Federation of Television and Radio Artists (AFTRA), we write to express our deep concern regarding the recent decision of the Federal Communications Commission to vote on November 4 on a proposed plan that will seriously hamper the ability of our members to deliver consistently high quality performances and adhere to standards of professionalism in their work. We urge the Commission to give due consideration to the detrimental impact changes to the frequency band relied on by wireless microphones will have on the media and entertainment industry and to resist making any quick decisions before providing adequate time for public comment.

The potential harm that would result from a plan allowing other wireless devices to operate in the same frequency bands as wireless microphones, without adequate notice or protection, cannot be minimized. Consider the impact on a community of missing a live report from the scene of a major news emergency or event because the audio was lost in interference caused by an unlicensed device. Imagine getting tickets to see your favorite artist in concert just to have the sound drop out because of interference from another wireless device.

Our concerns about the FCC's proposed plan have escalated with the recent release of a 400-page report by the Office of Engineering and Technology, which indicates that the FCC could authorize millions of new portable wireless devices using so-called "spectrum sensing" only to protect against interference with other devices, such as wireless microphones, already operating in the white spaces. This is a major finding by the OET, yet in our first review of the same report, the data does not seem to support this conclusion. We respectfully request that before the Commission takes any action based upon this report, the public be given time to review the data in more depth and submit their own conclusions to the Commission staff.

If the FCC chooses to proceed to a vote on November 4th, we strongly recommend that the Commission not adopt any interference solution that relies upon spectrum sensing. The spectrum sensing solution is much too risky, putting the onus on millions of small portable devices to ensure that they do not cause irreparable harm to the functions of wireless microphones in their vicinity. AFTRA is not comfortable with this significant new risk for incapacitating interference to our operations and the Commission should not endorse such a scheme. Once these new products are brought to market, there will be no opportunity to undo the significant harm.

Instead of relying on spectrum sensing, we encourage the Commission to adopt a solution that utilizes a database and geolocation technology to protect wireless devices from interference. In conjunction with the geolocation solution, we recommend that the FCC also expand the list of eligible users of the database to include many other industries and groups that rely upon professionally coordinated wireless microphone systems. Finally, we believe the FCC needs to allocate a minimum of eight channels for the exclusive use of wireless microphones. The Commission would be well served in

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proceeding with a solution that incorporates each of these necessary components intended to protect wireless microphone users.

We appreciate your consideration of our comments and urge you to give this important matter the considerable attention and deliberation it deserves.

Respectfully Submitted,

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