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WT 08-166 and WT 08-167



Federal Communications Commission  
Washington, D.C. 20554

August 11, 2009

FILED/ACCEPTED

AUG 14 2009

Federal Communications Commission  
Office of the Secretary

Mr. Tim Clay  
2005 Winchester  
Collierville, TN 38017

Dear Mr. Clay:

I am responding to your e-mail correspondence to Senator Lamar Alexander concerning the operation of wireless microphones in the 700 MHz frequency bands. In your correspondence, you inquired whether the federal government will be taking over the 700 MHz Band for homeland security use and, if so, how that will affect the use of wireless microphones that operate in the 700 MHz spectrum. You also inquired whether the government is putting into place a policy to protect consumers and businesses that have devices that operate in this range.

As part of the DTV transition mandated by Congress, spectrum in the 700 MHz Band (TV channels 52-69) that was formerly allocated for TV analog stations was reallocated to new services, including commercial wireless and public safety services.

In 2008, the Federal Communications Commission released a Notice of Proposed Rulemaking (FCC 08-188) in which it tentatively concluded that low power auxiliary station equipment, including wireless microphones, should no longer be permitted to operate in the 700 MHz Band after the end of the DTV transition because such operations could cause harmful interference to new public safety and commercial wireless services in the band. The Commission has not yet issued a final decision in this proceeding.

Even if the Commission decides to prohibit all low power auxiliary station equipment from operating on channels 52-69 after the end of the DTV transition, that action would not necessarily require every party using wireless microphones or other auxiliary station equipment on these channels to buy new equipment. While we recognize that some equipment may need to be replaced, some equipment operating on channels 52-69 will be capable of being re-tuned to operate on lower channels. Further, many low power auxiliary devices currently operate below channel 52, and those devices could continue to be used provided the channels they operate on remain vacant after the transition.

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A copy of your letter and this response will be placed in the rulemaking docket (WT Docket Nos. 08-166 and 08-167) so that it will be included in the record for this proceeding. If you have any further questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Paul D'Ari".

Paul D'Ari  
Deputy Chief  
Spectrum and Competition Policy Division  
Wireless Telecommunications Bureau

cc: Senator Lamar Alexander