

December 11, 2009

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

RE: WT Docket No. 03-66
Joint Ex Parte Submission of Sixty EBS Licensees

Dear Ms. Dortch:

This joint ex parte communication is submitted by the sixty undersigned EBS licensees in the above-referenced EBS White Space proceeding, which seeks to facilitate the licensing of currently vacant EBS spectrum. While the comment cycle in this Docket closed in October of 2008, many parties have continued to submit alternative or revised proposals since that time. The undersigned parties wish to emphasize their continued support for the solution originally advanced by the National EBS Association (“NEBSA”) as the proposal that will best serve the public interest.

Each of the signatories below, whether local or nonlocal, oversees distance learning systems that utilize multiple channel groups of EBS frequencies to provide invaluable linkages between students, faculty, and administrators within a given service area. For years, due to licensing constraints and despite changes in the size and configuration of their served schools and communities, these licensees have had no opportunity to expand the reach of their educational systems to outlying campuses and populations. The NEBSA proposal facilitates a logical, critical and efficient expansion of these existing multichannel educational services to adjacent areas that, heretofore, have been unreachable. Under competing plans, localism and channel group application limitations would effectively deny these entities the opportunity to expand the coverage of their existing systems in critical ways that would connect multiple campus sites as well as the citizens in and around their served communities.

The NEBSA proposal would first simultaneously expand the Geographic Service Areas (GSAs) of existing EBS stations on their licensed channels. This is the same approach that the FCC successfully used in this service in 1995 to expand the protected service areas of then geographically licensed stations from 15 to 35 miles. After this GSA maximization, interested EBS eligible entities would be allowed to file applications for the remaining 201 BTA-wide white space licenses identified by NEBSA. Following an opportunity for settlement, any remaining mutually exclusive applications would go to auction.

The signatories believe that NEBSA's proposed solution best satisfies the public policy objectives for the spectrum's use. First, GSA maximization will provide an efficient licensing process so that white space can be immediately licensed and wireless broadband facilities can be deployed as quickly as possible. Maximization, which can be achieved through rulemaking, is clearly the swiftest way to extend both educational and commercial broadband services to rural, underserved and previously unlicensed areas adjacent to the existing operations of EBS licensees. Expanding the GSAs of existing stations would, in many cases, allow excess capacity in such expansion areas to be used pursuant to existing lease arrangements, thereby increasing efficiency and speed to deployment of commercial services into previously unlicensed and underserved outlying rural areas. Second, the maximization approach will ensure that new licenses cover, to the greatest degree possible, contiguous and viable geographic areas that can actually support the deployment of wireless broadband systems. Third, this approach recognizes the legitimate interests of existing EBS licensees to expand their coverage areas to better encompass their natural areas of interest.

It is also important that, at a time when educational institutions are increasingly facing budget cuts, the maximization approach will license much of the white space through rulemaking with a reduced need for auctions or the engineering and legal costs usually associated with an application based process. With regard to the auctions held for the remaining 201 BTA licenses, the signatories believe that such process should be open to any EBS eligible entity that wishes to apply, with some reasonable limits placed on the number of applications each party may submit in a single BTA.

Finally, the signatories urge the Commission to act expeditiously on this important matter in order to ensure that these areas are made available for rational expansion of existing educational services, and that such currently unlicensed areas can be incorporated into the deployment plans of commercial wireless operators in order to ensure that these largely rural and underserved areas are not excluded from the ongoing construction of wireless broadband infrastructure.

Respectfully Submitted,

/s/ John Schwartz

John Schwartz

Manager

Instructional Telecommunications Foundation, Inc.

/s/ John Primeau

John Primeau

President

North American Catholic Educational Programming Foundation

/s/ John Schwartz

John Schwartz
Manager
Twin Cities Telecommunications Group, Inc.

/s/ John Schwartz

John Schwartz
Manager
Denver Area Educational Telecommunications Consortium, Inc.

/s/ John Schwartz

John Schwartz
Manager
Portland Regional Educational Telecommunications Corporation

/s/ John Schwartz

John Schwartz
Manager
Chicago Instructional Technology Foundation, Inc.

/s/ Charles J. McKee

Charles J. McKee
President
Shekinah Network

/s/ Kemp Harshman

Kemp Harshman
President
Clarendon Foundation

/s/ David Smith

David Smith
Executive Director
National Conference on Citizenship

/s/ Michael A. Pearce

Michael A. Pearce
System Vice President - Information Technology
University of South Florida

/s/ Jason Ball

Jason Ball
Chief Information Officer
Florida Atlantic University

/s/ Dan Blanchar

Dan Blanchar
Associate Chief Information Officer
University of Massachusetts

/s/ Michael L. Reeser

Michael L. Reeser
President
Texas State Technical College

/s/ Bruce Maas

Bruce Maas
Chief Information Officer
Regents of the University of Wisconsin System

/s/ Riny Ledgerwood

Riny Ledgerwood
Director, Voice Services, Enterprise Technology Services
San Diego State University

/s/ John Humpal

John Humpal
Teaching & Learning Services
Hawkeye Community College

/s/ Don Massey

Don Massey
Director, Media Services
Greenville Technical College

/s/ Charles W. Hall

Charles W. Hall
President
Lake City Community College

/s/ Herman Daniels

Herman Daniels
Chief Information Officer
Gulf Coast Community College

/s/ Dr. E. Don Williams

Dr. E. Don Williams
Dean
Lubbock Christian University

/s/ Richard Hulon Donnell
Richard Hulon Donnell
Vice President, Institutional Advancement
Lane College

/s/ George W. Bott
George W. Bott
President
Albion Community Development Corporation, Inc.

/s/ George W. Bott
George W. Bott
President
Rockne Educational Television, Inc.

/s/ George W. Bott
George W. Bott
President
The Learning Paradigm, Inc.

/s/ Dr. Phyllis Schiffer-Simon
Dr. Phyllis Schiffer-Simon
Director BECON
School Board of Broward County, Florida

/s/ Dr. Annette M. Saturnelli
Dr. Annette M. Saturnelli
Superintendent
Newburgh Enlarged City School District

/s/ Josh Sumption
Josh Sumption
Manager of information Technology
SW/WC Service Cooperative

/s/ Steve Fenton
Steve Fenton
Distance Learning
BOCES District of St Lawrence and Lewis Counties

/s/ Nora Gaitan
Nora Gaitan
Business Manager
Charlotte Independent School District (Charlotte High School)

/s/ Jerry Prince

Jerry Prince
Assistant Superintendent
Heard County School System (Heard High & Middle School)

/s/ Dennis Mckinley

Dennis Mckinley
Senior Pastor
Landmark Baptist Church / Bethel Christian School

/s/ Joy S. Collins

Joy S. Collins
Superintendent
Evans County School System

/s/ Patrick McDaniel

Patrick McDaniel
Interim Executive Director
Panhandle Area Educational Consortium

/s/ Tana Norris

Tana Norris
Administrator
Lake City Christian Academy

/s/ Darrel Finch

Darrel Finch
Superintendent
Marais des Cygnes Valley School District - USD 456

/s/ Sheryl Walker

Sheryl Walker
Administrator
Happy House Daycare

/s/ Rex Watson

Rex Watson
Superintendent
Peabody Burns USD 398

/s/ June Sprout

June Sprout
Superintendent
Cascade Public Schools

/s/ Thomas P. Farrell
Thomas P. Farrell
President
Educational Broadband Corp.

/s/ Lee Leiker
Lee Leiker
Superintendent
Marion-Florence USD 408

/s/ Brent Hollinger
Brent Hollinger
Superintendent
Cross County School District

/s/ Eric Grimett
Eric Grimett
Superintendent
Danbury Independent School District

/s/ Robert S. Culkeen
Robert S. Culkeen
VP Technology & Operations
WJCT, Inc.

/s/ Mike Hunter
Mike Hunter
Superintendent
Armored School District # 9

/s/ Larry Stick
Larry Stick
Superintendent & Elementary Principal
Shelby School District # 32

/s/ Stan Hendricks
Stan Hendricks
Superintendent
High Plains Community Schools

/s/ Mary Jo Peters
Mary Jo Peters
Director of Technology
Hondo Independent School District

/s/ Greg Fiveash
Greg Fiveash
Director of Technology
Berrien County Board of Education

/s/ Andrea H. Preston
Andrea H. Preston
Assistant Superintendent of Finances
Glynn County School System

/s/ Peg Buchanan
Peg Buchanan
Finance Director
Eudora Unified School District # 491

/s/ David A. Kelm
David A. Kelm
Superintendent
Hunt Independent School District

/s/ John A. Rundle
John A. Rundle
Superintendent
Mayetta Unified School District # 337 (Royal Valley Schools)

/s/ William Crowder
William Crowder
Superintendent
Cooter Reorganized School District R-4

/s/ Elda Alejandro
Elda Alejandro
Business Manager
Knippa Independent School District

/s/ Steve Pegram
Steve Pegram
Superintendent
Santa Fe Trail USD 434

/s/ Robin Sellman
Robin Sellman
Director of Educational Services
George West Independent School District

/s/ Gary Rotan
Gary Rotan
Superintendent
Hermleigh Independent School District

/s/ Lee Miller
Lee Miller
Superintendent
Jackson County School District

/s/ Dr. Sandra M. Cook
Dr. Sandra M. Cook
Superintendent
Washington County School District

/s/ Dr. Sue Summers
Dr. Sue Summers
Superintendent
Liberty County School District