

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band)	WT Docket No. 08-166
)	
Public Interest Spectrum Coalition Petition for Rulemaking Regarding Low Power Auxiliary Stations Including Wireless Microphones and the Digital Television Transition)	WT Docket No. 08-167
)	
Amendment of Parts 15, 74 and 90 of the Commission’s Rules Regarding Low Power Auxiliary Stations, Including Wireless Microphones)	ET Docket No. 10-24
)	

**COMMENTS OF
The International Association of Assembly Managers**

The International Association of Assembly Managers is a 501 (C) (6) trade association located in Coppell, Texas (“IAAM”). IAAM is composed of 3,800 member managers of stadiums, arenas, convention centers, amphitheaters, race tracks and performing arts centers in the United States. IAAM members operate facilities across the country, which represent investments of billions of dollars of public and private funds. These public assembly venues attract hundreds of millions of patrons throughout the country each year to professional and amateur events including, but not limited to, football, baseball, basketball, hockey, concerts, theatrical productions, annual conventions, and trade shows. All of these public assembly venues use wireless microphones and wireless two-way communication devices and will be affected by the determination of the issues in this matter.¹ IAAM files these comments pursuant

¹ For more information about the International Association of Assembly Managers, please go to website iaam.org.

to the Commission’s “Report and Order and Further Notice of Proposed Rulemaking” in the above cited dockets.²

IAAM agrees with the comments submitted in response to these same dockets by The Coalition of Wireless Microphone Users, dated March 1, 2010, The Association of Performing Arts Presenters, dated March 1, 2010 and the MGM Mirage, dated February 23, 2010. Without fully discussing each issue submitted by the users of wireless microphones, IAAM will highlight the comments already submitted to the Commission with some important changes to them.

1. IAAM Members Seek Eligibility for Licenses for Low Power Auxiliary Services (“LPAS”) Under Part 74 of the Commission’s Rules and the Ability to Register Their Uses in the Proposed TV Band Device (“TVBD”) database.

The wireless microphones used in live local, regional, national and international public presentations and performances by IAAM member venues cannot and must not have interruptions and interference from outside equipment. Wireless microphones are used in public performances in stadiums with seating from 10,000 to over 120,000, in arenas with seating from 3,000 to over 30,000, in performing arts centers, race tracks like Churchill Downs and convention centers that host major conventions and tradeshows including the Republican and Democratic National Conventions,³ The Annual Dinner for the President of the United States⁴ and numerous other traditional and iconic political, religious, and cultural events that are part of the fabric of our nation. We agree with the Coalition of Wireless Microphone Users that eligibility for licenses to operate Part 74 Low Power Stations should be expanded to include a)

² FCC 10-16, released January 15, 2010 (“Order” and “Further Notice”).

³ The Republican and Democratic National Conventions not only include numerous high profile speakers but performances by award-winning artists.

⁴ The President’s Annual Dinner in Washington, D.C. includes a black-tie banquet for 4,000 members of Congress, the Cabinet, the Executive Office of the President, the Supreme Court and specially invited corporate executives and Hollywood entertainers. The venue hosting these events must have protection for wireless microphone uses that are an integral part of event operations.

the owners and operators of public assembly venues (stadiums, arenas, performing arts centers, convention centers, amphitheaters and major race tracks); or b) the producers of live performances; or c) professional audio service contractors that service events and venues.

Because registration in the TV Band Device database is crucial to the effective non-interference with wireless microphone operations, the Commission's rules for TVBD's should be flexible enough for any of the above mentioned wireless microphone users to acquire a Part 74 license.

2. IAAM Agrees with the Commission that Not All Wireless Microphone Users Should Be Eligible for Part 74 Licensing and Should Continue Use Under Part 15 Wireless Audio Devises ("WADs").

IAAM agrees with the Coalition of Wireless Microphone Users that two "safe harbor" channels should be set-aside in each television market to accommodate the use of WADs without interference from TVBDs. We also agree that a set of criteria should be developed to determine which venues and entities should be eligible for Part 74 licensing.⁵ IAAM suggest that the Commission should examine the following five criteria: a) the regional, national and international application of the event, b) the size of the potential audience, c) the service provided to the public, d) the need for mobility, safety and security and e) the number of wireless units that will be used.

3. IAAM Agrees with the Association of Performing Arts Presenters that Two-Way Communication Devices For Transmissions Involving Performers, Security and Backstage Personnel Should be Available Under Part 74 Licensing.

In addition to wireless microphones, two-way communication devices substantially enhance the operational aspects of the performance or event. The event is much more organized

⁵ Please note that IAAM rearranged the order of the criteria in the comments submitted by the Coalition for Wireless Microphone Users.

when performers, technicians, security personnel and other essential personnel can communicate freely without system interference or disruptions. Therefore, two-way communication devices for transmissions involving performers, security personnel and backstage personnel should be available under Part 74 licensing.

4. Wireless Microphones are an Integral Part of Making Event Performances Accessible to Individuals with Hearing Impairments Which is Required by the Americans with Disabilities Act of 1990.

Pursuant to the Americans with Disabilities Act of 1990 (“ADA”),⁶ “A public accommodation shall furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities.”⁷ This Department of Justice regulation specifically includes assistive listening devices and assistive listening systems used by individuals with hearing impairments.⁸ Public assembly venues are required to “...augment a standard public address system and audio systems by providing signals which can be received directly by persons with special receivers or their own hearing aids and which eliminate or filter background noise...”⁹ All stadiums, arenas, performing arts centers, race tracks, amphitheaters, state fairs, amusement parks and other public venues are required to have an assistive listening system for at least “4 percent of the total number of seats” provided in the venue.¹⁰

5. IAAM Agrees with the Association of Performing Arts Presenters that the Commission Should Develop Part 74 Licensing Procedures That Allow Entities With Multiple Venues and Performance Locations to Apply for a Single Online License.

Many IAAM members have more than one venue and performance location on their property or campus. For example, the City and County of Denver, Colorado owns at least four performing arts centers and a convention center in its downtown entertainment district and it also owns and operates the 20,000 seat Red Rocks Amphitheater. Most medium to large universities

⁶ Public Law 101-336, 42 U.S.C. §12101 et. Seq. (1990).

⁷ See 28 C.F.R. §36.303 (a), (b) and (c) Auxiliary aids and services.

⁸ See 28 C.F.R. §Pt. 36, App. A, 4.33.6 and 4.33.7.

⁹ See 28 C.F.R. §Pt. 36, App. A, 4.33.7.

¹⁰ See 28 C.F.R. §Pt. 36, App. A, 4.1.3(19) Assembly areas.

have a football stadium, a baseball stadium, several performing arts venues and an arena for basketball and ice hockey, and any of the venues may be used for concerts and commencement activities, etc. A shortened or streamlined online application process that includes an option for multiple venues will allow users to be licensed in a more efficient and effective manner by the Commission.

CONCLUSION

We believe the Commission must find a way to balance the public interest in achieving more spectrum space for new and innovative technologies but also to allow more traditional performances, presentations and events to have the highest sound quality and protection from harmful interference caused by unlicensed “white space” devices. On behalf of IAAM, I respectfully submit these comments for your consideration.

Turner D. Madden, Esquire
MADDEN & PATTON, LLC
1701 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
(202) 349-2050

March 21, 2010