



Federal Communications Commission  
Washington, D.C. 20554

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September 8, 2010

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Federal Communications Commission  
Office of the Secretary

The Honorable Peter DeFazio  
United States House of Representatives  
612 SE Jackson Street, #9  
Roseburg, OR 97470

Dear Congressman DeFazio:

Thank you for your letter of August 11, 2010, on behalf of your constituent, Paul Harte of Corvallis, Oregon, who expresses concern about the Commission's recent decision on the operation of wireless microphones in the 700 MHz Band (channels 52-69; 698-806 MHz). Mr. Hart indicates that he has a wireless microphone that operates at 740-772 MHz.

As part of the DTV transition mandated by Congress, spectrum in the 700 MHz Band that was formerly allocated for TV analog stations was reallocated to new services, including commercial wireless and public safety services. On January 15, 2010, the Commission issued an order that requires all wireless microphone users to exit the 700 MHz Band by June 12, 2010. The Commission took this action to prevent interference to public safety first responders who rely on the 700 MHz Band for mission-critical communications, and to facilitate the build-out of 4G wireless networks by wireless licensees. At the same time, the Commission recognized the need for and the significance of wireless microphones. The order provides wireless microphone users with authority to operate their equipment on TV spectrum. Prior to the release of the order, the vast majority of wireless microphone users were unauthorized and were not permitted to operate these devices. The order permits such users to operate wireless microphones on an unlicensed basis in the 700 MHz Band until June 12, 2010, and in the core TV bands (channels 2-51, excluding channel 37) indefinitely.

The order adopts a number of safeguards for wireless microphone users. The order urges all manufacturers to extend or establish rebate and trade-in programs for 700 MHz Band wireless microphones, and to widely publicize these programs both directly and through their dealers and distributors. In addition, the order requires manufacturers and retailers of wireless microphones to provide clear notice to consumers about the basic terms and conditions under which they may use wireless microphones. Further, the Commission is engaged in a major consumer outreach campaign by posting information on its website and by making information available from its call center to help wireless microphone users understand the Commission's new rules and their options. As a part of this outreach, the Commission's staff also has informed organizations that represent wireless microphone users of its decision.

In a Further Notice of Proposed Rulemaking, also released on January 15, 2010, the Commission sought comment on proposed permanent rules that would authorize the use of

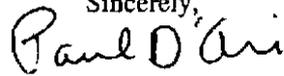
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The Honorable Peter DeFazio

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wireless microphones in the core TV bands by all users. A copy of your letter, including Mr. Harte's correspondence, and this response will be placed in the record for this proceeding. Please let me know if I can be of any further assistance.

Sincerely,

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

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