



ENTERTAINMENT, INC.

December 17, 2013

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WT Docket No. 08-166: Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band; WT Docket No. 08-167: Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary Stations, Including Wireless Microphones, and the Digital Television Transition; ET Docket No. 10-24: Amendment of Parts 15, 74 and 90 of the Commission's Rules Regarding Low Power Auxiliary Stations, Including Wireless Microphones and, GN Docket No. 12-268: Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions.

Dear Ms. Dortch:

The following comments are submitted by Feld Entertainment, Inc. ("FEI" or Company) in response to the above-referenced notice released on September 23rd, 2013 by the Federal Communications Commission ("FCC" or the Commission). We respectfully submit that the FCC should support policies, including proposals by the Sennheiser Electronic Corporation, the National Association of Broadcasters, and the Broadway League to ensure reliable interference-free spectrum access for wireless microphone operations and to reduce the financial hardship of wireless microphone users as result of the incentive auction and TV band repacking in the 600 MHz band.

Feld Entertainment

Feld Entertainment, Inc. (FEI) is the leading producer of live family entertainment and is the parent company of *Ringling Bros. and Barnum & Bailey*[®], *Disney On Ice*, *Disney Live* and Feld Motor Sports[®] events, including *Monster Jam*[®], *Monster Energy*[®] *Supercross*, *AMSOIL Arenacross* and *Nuclear Cowboyz*sm and beginning in 2014, *MARVEL Universe Live*. FEI productions entertain 20 million fans with 3,000 performances in over 120 cities each year in the United States. In 2013, we simultaneously toured over 15 live productions in stadiums, arenas, and theaters throughout the U.S.

Our action packed live stage productions rely heavily on wireless microphones to provide freedom of movement for performers while still providing superior sound quality to our audiences. Various productions will typically use over 20 wireless microphones per show. Whether it's an ice skater jumping the air, a Monster Truck driver maneuvering through obstacles or a handler performing with an elephant, wireless microphones are crucial to our productions where there is a constant movement of people and animals. In addition wireless communications are often also relied upon by production staff. For example, our Nuclear Cowboyz production simultaneously uses 15 wireless frequencies during the show so the crew and production staff can effectively communicate with each other through wireless intercoms. These wireless intercoms and microphones allow our performers and staff to move safely around the venue, free from excessive wires, while providing a high-quality audio experience to our audience.

Wireless Microphone Users Should Be Protected From Channel Interference

Over the past few years, the spectrum available to wireless microphone users has been shrinking. In 2010, wireless microphone users were prohibited from using the 698-806 MHz band, which was over one-third of the operating bandwidth that had been available to those users. In addition, the 2010 White Spaces Order opened the white spaces to mobile broadband users further crowding the space available to wireless microphone users. FEI is concerned that elements of the Commission's current incentive auction and rebanding proposal will further reduce the amount of UHF spectrum available for wireless microphone operations. By eliminating access to the 600 MHz band, not only will there be a significant increase in congestion in the lower channels, but this will also place increased technical demands on both the equipment and operators working in this space. This is especially a concern in large cities where we are already faced with congestion issues from resident TV stations and other productions. We are concerned that the decreasing bandwidth availability and the increasing demand for the remaining space will make it more challenging to avoid channel interference for our wireless microphones and pose the threat of unreliable audio during our live stage shows.

To avoid this threat, we urge the Commission to support policies to protect wireless microphone operators from channel interference. Specifically, we urge the Commission to reject the proposal to eliminate the two dedicated wireless microphone channels. These clear reliable channels are safe havens for wireless microphone users to operate interference-free from other mobile devices. Without them, there is no guarantee wireless microphones will have available spectrum space to operate with any reliability.

We also urge the Commission to expand eligibility for spectrum licenses under Part 74 rules to live entertainment producers, audio companies who coordinate sound systems for live productions and venue owners, ensuring they can register directly with one of the TV bands database administrators for protection from interference in the white spaces. We support the Broadway League's view that live entertainment performances have the same priorities as the television and motion picture production companies who are already eligible for Part 74 LPAS licenses. We ask that the groups involved in live entertainment productions be allowed the same assurances for uninterrupted audio as these other entertainment productions.

Wireless Microphone Users should be Eligible for Reimbursement

FEI agrees with the Sennheiser Electronic Corporation and the National Association of Broadcasters that wireless microphone users displaced by the 600 MHz auction and rebanding process should be reimbursed for their expenses. In 2010, when the Commission banned wireless microphone operations in the 700 MHz band, FEI made a significant investment in new audio equipment for its touring productions in order to comply with the decision. We did so in reliance upon pronouncements from the FCC that the 600 MHz would remain available. The upcoming incentive auction will require us to make another significant investment to replace that equipment even though it is still serviceable and nowhere near the end of its product life. We urge the Commission to take the necessary steps to minimize further financial harm to the wireless microphone community by compensating users for their losses that will directly result from its decision to auction additional band space so soon after the previous auction.

Conclusion

We encourage the Commission to minimize the impact of the 600 MHz auction and rebanding process on wireless microphone users by ensuring reliable interference-free access to the spectrum. Specifically, we urge the Commission to maintain the two safe-haven channels for wireless microphones and to allow live productions and venues to become licensed wireless microphone operators that are entitled to protection from interference in the white spaces while ensuring the flexibility these productions need to effectively operate. We also urge the Commission to reduce the financial hardship of replacing equipment for the second time in a few years through a compensation program.

Thank you for the opportunity to provide these comments.

Sincerely,



Thomas L. Albert
Vice President
Government Relations