

Please maintain unlicensed access to spectrum in the upcoming incentive auctions. Please choose wisely to unleash competition in the upcoming auctions. I hope the Commission maintains its 2008 commitment when it made the TV White Spaces order to free up unlicensed spectrum for WIFI use. Thanks to unlicensed spectrum a number of innovative services have sprung up and competition to the wireless oligarchs has developed. Please do not downsize or eliminate unlicensed spectrum. Please allocate as much spectrum as possible for unlicensed use. I understand in the upcoming auction only 600 MHz is being allocated currently for unlicensed use. Please try to increase the amount for unlicensed use to at least 700 MHz or 800 MHz as the existing amount sounds woefully insufficient. We need to maintain and expand unlicensed access to spectrum. Now some background to put things in perspective:

On November 4, 2008, as millions of Americans cast votes in a historic presidential election, the Federal Communications Commission (FCC) held a historic vote on the future of the Internet.

Unlike the partisan national election, the FCC vote was unanimous. The five commissioners – three Republicans and two Democrats – voted to open unused TV spectrum, otherwise known as “white spaces” (TVWS), for unlicensed use to deliver super-fast broadband Wi-Fi. The vote culminated six years of exhaustive FCC analysis and testing to ensure that unlicensed use of TVWS would not interfere with over-the-air TV signals.

TVWS promises faster broadband speeds across many miles – 10-15 megabits per second with a range up to 25 miles. This is far superior to the capabilities of existing unlicensed spectrum, and high-tech firms, venture capital investors and rural broadband advocates alike rejoiced at the news from the Commission. But for rural Americans stuck in dial-up or satellite purgatory, TVWS isn't just “far superior” to the existing unlicensed spectrum – it is a godsend. Last month, the nonprofit Mountain Area Information Network (MAIN) in Asheville, North Carolina received its first shipment of TVWS hardware – five years, three months and 15 days after the FCC's unanimous 2008 vote. Relief for rural broadband is finally at hand.

The same goes for high-tech firms, which have pushed the limits of existing unlicensed spectrum and saw the opportunity for a new boom in innovation, jobs and wealth creation.

Speaking to the American Enterprise Institute on January 9, 2009, FCC Chairman Kevin Martin touted TVWS as a Reaganesque policy to “encourage the creation of a Wi-Fi on steroids” to compete with the cable and telco broadband monopolies. Liberating the white spaces, Martin told the crowd, would allow the market to work its magic in the broadband arena.

But something happened on the way to the super-WiFi Promised Land. Years of litigation from dominant incumbents, bureaucratic red tape and congressional meddling created uncertainty that has slowed TVWS development and stifled innovation and economic growth. By contrast, a cornucopia of wireless marvels arose from earlier releases of unlicensed spectrum, from remote controls, keyless entry and baby monitors to Wi-Fi and Bluetooth, contributing billions to the U.S. economy each year. But now, yet another uncertainty looms.

The FCC will hold spectrum auctions next year to help meet the growing demand from wireless devices, but deficit hawks in Congress have joined with the big wireless companies to pressure the FCC to include TVWS in the auctions, greatly reducing or eliminating new unlicensed spectrum. If they get their way, the lion's share of our airwaves will be locked up for exclusive use by big corporations, handicapping competitors for decades to come.

Without new unlicensed spectrum, tomorrow's innovators and entrepreneurs must cut a deal with the spectrum oligarchs to bring new products and services to market. And rural communities will be robbed of the chance to meet their broadband needs through nonprofit TVWS networks in the self-help tradition of rural electric co-ops.

Technology analysts believe that a minimum of 24 MHz of new unlicensed spectrum is required to attract the innovators and investment capital needed to jumpstart next-generation Wi-Fi. That's only four percent of the 600 MHz of spectrum the FCC plans to auction next year.

Since the historic TVWS vote, millions of rural Americans have fallen deeper into the broadband Digital Divide and many who petitioned the FCC in 2008 for unlicensed use of TVWS have grown discouraged and disillusioned by the five-year delay.

When the FCC finalizes its rules for the 2015 spectrum auctions in the coming weeks, it faces a clear choice.

Will the FCC further entrench and enrich the wireless oligarchs by eliminating or downsizing new unlicensed spectrum? Or will it opt for the greater good and sustain its 2008 bipartisan, pro-competition vision of open and shared unlicensed spectrum?