

ED PASTOR  
4TH DISTRICT, ARIZONA



COMMITTEE ON APPROPRIATIONS

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DEVELOPMENT, AND RELATED AGENCIES

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ENERGY AND WATER DEVELOPMENT, AND RELATED  
AGENCIES

SUBCOMMITTEE ON  
FINANCIAL SERVICES, AND RELATED AGENCIES

CHIEF DEPUTY DEMOCRATIC WHIP

**Congress of the United States**  
**House of Representatives**

August 21, 2012

PLEASE REPLY TO:

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WASHINGTON, DC 20515-0304  
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411 NORTH CENTRAL AVENUE, SUITE 150  
PHOENIX, AZ 85004  
(602) 268-0551

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, Southwest  
Washington, DC 20554-0005

*MP*  
*Block Spectrum*  
*Green Spectrum*  
*Cellular*  
*1268*

Dear Chairman Genachowski:

I am writing with respect to the television broadcast incentive auction that Congress authorized as part of the Middle Class Tax Relief and Job Creation Act of 2012. Congress adopted this measure to permit those television licensees that want to exit the broadcast business to do so voluntarily, thereby freeing up frequencies that could then be reallocated for wireless broadband services.

As you know, the demand for reallocated spectrum is likely to be greatest in the largest U.S. markets. Not surprisingly, those also happen to be the largest television markets with the largest number of viewers. In Arizona for example, the greatest shortage of spectrum is likely to be in the Phoenix market.

While increasing the amount of spectrum allocated to wireless broadband fulfills an important national goal, it is equally important that the Federal Communications Commission protect the ability of the public to continue to receive free over-the-air television signals from those television stations that will continue to provide service after the auction is over.

In my view, maintaining access to free over-the-air television service is an increasingly important goal for the Commission to achieve. Recent statistics demonstrate that the number of Americans who rely exclusively upon free over-the-air service has grown significantly to nearly 54 million, and the trend line indicates that the number of over-the-air households is likely to continue to grow.

For this reason, the plan that the Commission adopts for remaining television must not adversely affect the ability of viewers to continue receiving the free local programming that they currently receive. Thus, I believe it is critical that the Commission adhere to a policy of transparency, disclosing its plans to the public at the earliest possible opportunity, to maximize the ability of those who may be affected by the Commission's actions to evaluate and understand how the proposed changes will affect them.

Freeing up spectrum to increase the amount available for wireless broadband services is important. But, achieving that goal should not come at the expense of the television viewing

public who rely on free over-the-air television, such as those in Arizona. In keeping with all relevant rules and regulations, I am hopeful you will consider disclosure as you implement this important new statute, and make available to the public all of the information available to the Commission, allowing enough time for stations to determine how they may be affected.

Thank you for your attention to this request, and I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Ed Pastor". The signature is written in a cursive, flowing style.

Ed Pastor  
Member of Congress

EP/le