



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 14, 2016

The Honorable Greg Walden
Chairman
Subcommittee on Communications and Technology
U.S. House of Representatives
2185 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Walden:

Thank you for your letter about the importance of wireless microphones to small and mid-sized stakeholders such as non-profit theaters, art presenters, symphony orchestras, and opera and dance companies. I agree that these arts organizations play an important role in our communities.

Most wireless microphones have operated in the TV band on channels that are not being used locally. The incentive auction, which is required under the Middle Class Tax Relief and Job Creation Act of 2012, reduces the spectrum available in the TV band. With less spectrum available, there will likely be fewer vacant channels on which wireless microphones can operate. To mitigate this impact, and to accommodate wireless microphones in the future, the Commission has taken several steps to facilitate wireless microphone use of available spectrum both in the post-auction, reorganized TV bands, and other frequency bands.

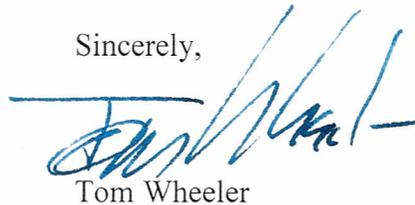
The 2014 *Incentive Auction Order* created new opportunities for wireless microphones in the spectrum that would continue to be available in the future reconfigured TV bands. As you point out, in 2014 the Commission also expanded its Part 74 license eligibility rules to include professional sound companies, owners, and operators of large venues that routinely use 50 or more wireless microphones. This enables these new licensees to register their devices in the TV white spaces databases to obtain interference protection from other unlicensed devices operating in the TV bands.

The Commission took a number of additional steps to accommodate wireless microphone operations, including facilitating greater use of available spectrum in the VHF portion of the reconfigured TV band and addressing the long-term needs of Part 74 licensed wireless microphone users in the 2015 *Wireless Microphone Report and Order*. This Order also provided wireless microphones with access to more licensed spectrum in three additional frequency bands (the 900 MHz, 1.4 GHz, and 7 GHz bands) where their operations would not cause harm to incumbent users.

You ask that the Commission consider taking additional action that would enable smaller non-profit theater and performing arts organizations that do not regularly use at least 50 wireless microphones, but nonetheless rely heavily on the use of wireless microphones for their performances, to operate wireless microphones without risk of harmful interference. In one of the pending proceedings affecting wireless microphone operations in the reconfigured TV bands, the Commission currently is considering a petition requesting Commission action to enable such smaller performing arts organizations to register in the TV white spaces databases and operate wireless microphones on vacant TV channels protected from interference. Commission staff are actively reviewing this petition.

I appreciate your interest in this matter. I have asked that your letter be added to the record of this proceeding so it can be considered as part of the public record that informs the next steps in the Commission's decision in the coming months. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a horizontal line drawn through the middle of the signature.

Tom Wheeler



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October 14, 2016

The Honorable Anna G. Eshoo
Ranking Member
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

Thank you for your letter about the importance of wireless microphones to small and mid-sized stakeholders such as non-profit theaters, art presenters, symphony orchestras, and opera and dance companies. I agree that these arts organizations play an important role in our communities.

Most wireless microphones have operated in the TV band on channels that are not being used locally. The incentive auction, which is required under the Middle Class Tax Relief and Job Creation Act of 2012, reduces the spectrum available in the TV band. With less spectrum available, there will likely be fewer vacant channels on which wireless microphones can operate. To mitigate this impact, and to accommodate wireless microphones in the future, the Commission has taken several steps to facilitate wireless microphone use of available spectrum both in the post-auction, reorganized TV bands, and other frequency bands.

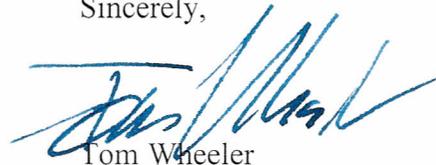
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Tom Wheeler