

ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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August 8, 2016

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Dear Chairman Wheeler:

As the Commission continues forward toward a successful first-of-its-kind incentive auction, we are writing to request that you consider the importance of wireless microphones to small-to-mid-sized stakeholders. As you are well aware, in 2014, the Commission decided to expand license eligibility for professional sound companies, owners, and operators of large venues that routinely use 50 or more wireless microphones.¹ These large users of wireless mics would be permitted to register in a database permitting prioritization of their spectrum usage. The FCC also determined that smaller organizations that do not regularly use 50 microphones or more would be unable to seek such protection.

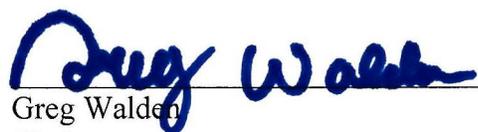
At the last oversight hearing of the Subcommittee on Communications and Technology, several members raised concerns regarding the impact of the FCC's decision on smaller entities, and we appreciate your receptiveness to the issue. Many of these smaller organizations are non-profit theatres, arts presenters, symphony orchestras, as well as opera and dance companies. These groups rely heavily on the use of wireless microphones to educate and delight audiences across the nation. Absent changes to allow small entities to license their current microphones, these non-profits will have to obtain new equipment that will operate in the new frequencies, to operate their equipment at lower power, and to pay registration fees for entry into TV white spaces databases. It would be particularly devastating for these organizations to invest in new wireless microphone equipment only to discover that their use of the equipment is significantly

¹ See *in re Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band; Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary Stations, Including Wireless Microphones, and the Digital Television Transition; Amendment of Parts 15, 74 and 90 of the Commission's Rules Regarding Low Power Auxiliary Stations, Including Wireless Microphones*, Second Report and Order, WT Docket No. 08-166, WT Docket No. 08-167, ET Docket No. 20-14, 29 FCC Rcd 6103 (2014).

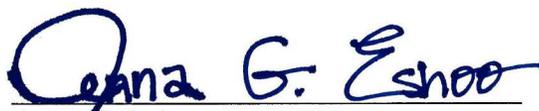
impaired by interference. Organizations, such as the Oregon Shakespeare Festival in Ashland, Oregon, will no longer be able to guarantee that the wireless microphones they use will help carry an actor's voice to the furthest seats, coordinate grips and gaffers behind the scenes, or provide video description to the visually impaired.

There are several options the Commission could consider to provide relief to low-volume wireless microphone users, including the offer of a waiver process that might permit registration for smaller entities during signature events and the reconsideration of the 50-microphone threshold. At the least, the FCC should continue to review the situation to determine how its rules may be impacting these organizations and the audiences they serve. We hope that the FCC will take action to ensure the nations' non-profit arts organizations and their audiences do not suffer from the impact of these rules.

Sincerely,

A handwritten signature in blue ink that reads "Greg Walden". The signature is written in a cursive style and is positioned above a horizontal line.

Greg Walden
Chairman
Subcommittee on Communications and
Technology

A handwritten signature in blue ink that reads "Anna G. Eshoo". The signature is written in a cursive style and is positioned above a horizontal line.

Anna G. Eshoo
Ranking Member
Subcommittee on Communications and
Technology