

November 9, 2011

The Honorable Jeb Hensarling, Co-Chair  
Joint Select Committee on Deficit Reduction  
129 Cannon House Office Building  
Washington, D.C. 20515

The Honorable Patty Murray, Co-Chair  
Joint Select Committee on Deficit Reduction  
448 Russell Senate Office Building  
Washington, D.C. 20510

Dear Chairman Hensarling and Chairwoman Murray:

On behalf of CTIA – The Wireless Association® (“CTIA”) and America’s wireless industry, I write to suggest that the future of wireless includes both licensed and unlicensed uses, and thus if the Joint Select Committee opts to include a spectrum component in its recommendation, as we urge, you should chart a course that accomplishes both of these important objectives.

As I understand the state of discussions over spectrum legislation, there is broad bi-partisan agreement that the Federal Communications Commission (“Commission”) should be granted authority to conduct voluntary incentive auctions that could repurpose as much as 120 MHz of spectrum currently used for broadcast television to licensed mobile broadband. This opportunity should be maximized, as CTIA’s members are eager to access repurposed broadcast spectrum and it is broadly understood that making these bands available for licensed use is the best way to facilitate investment, innovation and competition within both the licensed industry and the ecosystem it anchors and to generate auction revenue for the U.S. Treasury.

To be clear, any band plan adopted by the Commission for the repurposed broadcast bands must not sacrifice spectrum in the TV bands that is ideal for licensed mobile wireless broadband service to accommodate unlicensed use. That does not mean there is no opportunity for unlicensed usage in those bands. Because there will need to be a gap between the uplink and downlink bands used for licensed services, there may be a possibility (subject to appropriate interference safeguards that protect adjacent, primary licensed services) to permit secondary unlicensed usage in that gap. Additionally, by allowing unlicensed usage in the “white spaces” between channels in the repacked television band, and sanctioning additional unlicensed usage in the 5 GHz band, as Rep. Matsui has championed in H.R. 2520, Congress can create new opportunities for unlicensed offerings that will complement efforts to bring additional licensed spectrum to market.

In sum, Congress can and should seek to accommodate both licensed and unlicensed services in any spectrum legislation it may move this fall. Properly structured, these opportunities should be complementary rather than an “either-or” proposition. By striking an appropriate balance, Congress can take a major step toward alleviating the spectrum crunch and ensuring the continued vibrancy of America’s wireless industry.

Sincerely,



cc: Members, Joint Select Committee on Deficit Reduction