



November 2, 2011

The Honorable Fred Upton, Chairman  
Committee on Energy and Commerce  
United States House of Representatives  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Henry A. Waxman, Ranking Member  
Committee on Energy and Commerce  
United States House of Representatives  
2322A Rayburn House Office Building  
Washington, DC 20515

The Honorable Greg Walden, Chairman  
Subcommittee on Communications and Technology  
United States House of Representatives  
2182 Rayburn House Office Building  
Washington, DC 20515

The Honorable Anna G. Eshoo, Ranking Member  
Subcommittee on Communications and Technology  
United States House of Representatives  
205 Cannon House Office Building  
Washington, DC 20515

Dear Chairman Upton, Representative Waxman, Chairman Walden, and Representative Eshoo,

At a time when so many Americans are concerned about the future of their jobs, budget deficits, and whether the country has lost its edge on innovation, Congress has the rare opportunity to positively address all three concerns in one step. How? By supporting legislation to yield 120 MHz of new spectrum licensed for mobile broadband service utilizing voluntary incentive auctions.

High Tech Spectrum Coalition (HTSC) members include companies that are the backbone of wireless service, both for licensed and unlicensed hardware and devices. We strive to build networks to meet today's exploding mobile data demand and are focused on innovation to make our networks more efficient for the future.

The FCC has concluded that our nation needs an additional 300 MHz of spectrum to be made available over the next four years. Liberating that amount of spectrum in that timeframe will require policymakers to also find a balance between allocating licensed and unlicensed spectrum for mobile broadband. The success of spectrum, as a foundation for innovation and investment reaffirms its value to consumers and the economy as a whole. We also recognize that unlicensed uses, including Wi-Fi, have flourished and are now an integral complement to the commercial wireless ecosystem that exists today. In fact, the demand curves show that both the amount of licensed and unlicensed spectrum needs are expanding. However, allocations for one use should not be at the expense of the other. The TV broadcast spectrum band is ideally suited for the licensed services that consumers demand. This large, contiguous block of spectrum can support multiple competing carriers that can offer support for services requiring significant broadband data capacity. In addition the propagation characteristics of this band are ideally suited for low-cost wide area networks, which are essential in providing a nationwide mobile broadband service.

The TV broadcasting spectrum should be allocated for licensed mobile use while unlicensed use should continue to grow in alternative bands where it currently flourishes. In addition, consideration should be given to the fact that auctioning of licensed spectrum will provide significant revenues to the Treasury that can help offset budget deficits, whereas effectively giving spectrum away for unlicensed use will cost billions of dollars and ignores the fiscal realities that our government faces today. Clearly, unlicensed use in the TV band is nowhere near as well suited as licensed mobile use.

There is significant agreement from an economic perspective that reallocating spectrum for licensed mobile services in the TV bands will yield significant benefits for consumers and our economy. Investment in the 4G ecosystem is estimated to create 771,000 jobs by 2015. Economists have estimated that auctioning 120 MHz of this spectrum can generate over \$35 billion in revenue for the federal government. Over 100 of the nation's leading economists endorsed this idea, including Nobel Prize winners, former members of both Republican and Democratic administrations, and FCC Chief Economists who served under Chairmen of both parties.

On the other hand, there are no current unlicensed uses in the TV band because no chips, routers, or devices are being commercially developed for the white spaces. We support the long standing policy position to allocate spectrum for secondary use which is otherwise not conducive for auction and trust that such policies will continue. Thus, any evidence that unlicensed use in this band would provide similar benefits appears to be anecdotal or purely theoretical. Compare that to the well-documented spectrum crunch affecting the licensed universe and the rationale for dedicating the television spectrum for licensed use is clear.

The members of the HTSC believe the debate over licensed versus unlicensed spectrum use in the TV broadcasting spectrum does not need to devolve into a win-or-lose proposition for the various stakeholders. We believe it is simply a question of prioritizing where and how to assign each. We appreciate and applaud the Federal Communications Commission, the Senate Committee on Commerce, and the House Committee on Energy & Commerce on their diligent work to identify a significant amount of spectrum for licensed operation. And we urge the Congress to act swiftly.

Again, the members of the HTSC urge your support for incentive auctions and offer our assistance to you as you consider how best to proceed. I welcome any questions you may have and appreciate your time and attention to our views.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rhod Shaw", with a long horizontal flourish extending to the right.

Rhod Shaw  
Executive Director  
High Tech Spectrum Coalition