



# NEWS

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FOR IMMEDIATE RELEASE  
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## **FCC TAKES STEPS TO REALLOCATE AND ADOPT SERVICE RULES FOR TELEVISION CHANNELS 52-59**

Washington, D.C. – The Federal Communication Commission (FCC) began the process today of reallocating television Channels 52-59 (the 698-746 MHz spectrum band) for new commercial wireless and broadcast services. The Commission also proposed rules for the licensing, operating, and competitive bidding of wireless and other licenses in this 48 MHz of spectrum. The FCC is reclaiming this spectrum for new commercial services as part of its transition of TV broadcasting from analog to digital transmission systems.

### **Background:**

The Communications Act requires the FCC to assign spectrum by auctions in the 700 MHz band (698-806 MHz) that is reclaimed from broadcast television as a result of the transition from analog to digital television (DTV). The Commission anticipates auction of the 698-746 band prior to September 30, 2002, consistent with the Balanced Budget Act of 1997.

The reclamation of the 700 MHz band is occurring as a result of the planned migration of broadcasters into the “core” broadcast spectrum (currently Channels 2-51) that will occur when they convert from analog to digital operations. As part of the conversion process, Congress has provided for a transition period during which broadcasters may continue to operate their existing analog systems while using a second channel to transmit their DTV signals. The transition period is targeted to end in 2006, but the Commission is statutorily required to extend that date on a market-by-market basis if one or more of the four largest network stations or affiliates are not broadcasting in digital, digital-to-analog converter technology is not generally available, or 15% or more television households in the market are not receiving a digital signal. At the end of this transition, analog service will cease, and the remaining broadcast operations above Channel 51 will be relocated into the core broadcast spectrum.

The FCC previously reallocated the upper portion of the 700 MHz band (747-806 MHz, or television Channels 60-69), and adopted service and licensing rules for this spectrum. The Commission allocated 24 megahertz for public safety, 30 MHz for new commercial services, and created a 6 megahertz guard band. The Commission is in the process of licensing the Guard Band, and will auction the remaining 30 megahertz of commercial spectrum commencing September 12, 2001.

### **Specifics of Today’s Action:**

The Notice of Proposed Rulemaking adopted today initiates the reallocation and service rules proceedings for the remaining 48 MHz of spectrum in the lower portion of the 700 MHz Band. The principal issues addressed by the Notice of Proposed Rulemaking include:

Reallocation: The Notice proposes to reallocate the entire 48 MHz of spectrum in the lower 700 MHz Band to fixed and mobile services, while also retaining the existing broadcast allocation. In

addition, while the Notice does not make a specific proposal concerning an allocation in this band for satellite services, it seeks comment on the use of the spectrum for such services.

Incumbent broadcasters: TV broadcasters will be permitted to remain on the lower 700 MHz band until the end of the digital transition. There are roughly 100 analog and 165 digital TV incumbents which translates into about four times as many incumbents per channel when compared to the upper 700 MHz band (TV Channels 60-69). The Notice proposes rules that will require new licensees in the lower 700 MHz band to provide full interference protection to incumbent TV broadcasters operating on Channels 52-59 during the DTV transition period.

New service rules: The Notice seeks comment on possible rules for the licensing, operation, and competitive bidding in the lower 700 MHz Band to promote the broad, flexible use of the spectrum. Of particular note, the Notice tentatively concludes that licensees in the lower 700 MHz Band should be allowed to provide a variety of services consistent with necessary interference protection requirements, thus allowing any one licensee to provide any combination of allocated services, anywhere within its licensed service area at any time.

Spectrum blocks and licensing areas: The Notice tentatively concludes that the FCC should use a geographic area licensing approach to assign licenses in the lower 700 MHz Band, and seeks comment on the appropriate size of spectrum blocks and geographic licensing areas to be auctioned. The Notice asks whether the 48 megahertz of spectrum should be licensed as a single block or divided into smaller spectrum block, and seeks comment on several geographic service area options, including nationwide licenses, regional licenses, and smaller service area sizes.

Band clearing: The Notice seeks comment on possible measures to help facilitate the voluntary clearing of incumbent broadcasters from Channels 52-59. The Notice proposes to extend the voluntary band-clearing policies that were established for Channels 60-69, which allowed for voluntary band-clearing agreements but required FCC review to determine the impact of such agreements on the availability of broadcast service in the market.

Action by the Commission March 16, 2001, by Notice of Proposed Rulemaking (FCC 01-91). Chairman Powell, Commissioners Ness and Furchtgott-Roth, with Commissioner Tristani dissenting in part and issuing a statement.

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