

STATEMENT OF CHAIRMAN KEVIN J. MARTIN

Re: *Unlicensed Operation in the TV Broadcast Bands; Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band*, First Report and Order and Further Notice of Proposed Rule Making (ET Docket Nos. 02-380, 04-186), FCC 06-156

Today, we take the next step in making unused broadcast spectrum available for new and innovative uses. Allowing low power wireless devices to operate in unused portions of the television bands could be an efficient and effective use of this unused spectrum.

In the past, I have expressed that our first priority is furthering the digital transition and minimizing the burden on viewers. Allowing the use of low power devices immediately could impede the progress of the DTV transition. The TV bands have been generally congested during the transition with TV stations operating on two channels each – an analog and a digital channel. Moreover, the final DTV channel selection and assignment process is still ongoing, which makes it more difficult to assess the amount of white space that might ultimately be available. Now that Congress has established a “hard date” for the DTV transition, however, the Commission should resolve outstanding technical issues so that low power devices designed to operate on unused TV frequencies may be placed on the market with the completion of the DTV transition.