

Congress of the United States
Washington, DC 20515

791

July 31, 2015

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Wheeler,

We are writing in support of the letter submitted on July 21, 2015 by the Wireless Medical Telemetry Coalition requesting a brief postponement in the Commission's consideration of technical rules for the use of Channel 37 by unlicensed TV White Space ("TVWS") devices. Unlike other issues in the Report and Order involving the spectrum that may be available in the 600 MHz band plan for unlicensed devices, the availability of Channel 37 is apparently no longer at issue. Since the Commission has already announced that Channel 37 will be available for use by unlicensed devices, a brief delay in establishing technical rules would not impact the timing or planning for the incentive auction. Thus, a postponement in the Commission's consideration to get this right – and avoid potential lengthy administrative and legal challenges by either side of the debate – is entirely reasonable.

As you have acknowledged on numerous occasions, the broadcast incentive auction is a very complex endeavor with multiple moving parts that all must work together – for consumers, broadcasters, wireless carriers, and in this case, for thousands of patients that rely on life-saving wireless medical technology every day. To date, more than 150 hospitals in over 40 states, located in a variety of urban, suburban and rural areas, along with many individual medical professionals, have filed comments with the FCC describing the substantial benefits of wireless medical telemetry service ("WMTS") systems. These letters have identified the significant problems that any interference from unlicensed devices would cause in the hospitals' ability to monitor patients and the long-term impact that interference would have on health care services generally. Validating such concerns, the record also includes the results of real-world testing at three different hospitals demonstrating that interference to WMTS systems will be caused by a TVWS devices operating at the power-levels and distances proposed by the Commission.

As we understand the present situation, the WMTS Coalition and the unlicensed community has been working together to establish criteria that might be adopted by the Commission for when, where, and how unlicensed TVWS devices could operate on Channel 37 while minimizing harmful interference to any safety of life WMTS systems. As you have long advocated, this type of cooperative effort should be encouraged, and the parties should be given the time they need to arrive at a mutually agreed upon solution that protects WMTS systems and allows for the safe use of TVWS devices.

We urge you not to rush any of the highly technical decisions that must be made before considering all of the facts, particularly when patient safety is at issue and when a short delay to enable continued stakeholder discussions will in no way delay the start date of the auction. Therefore, we ask you to remove consideration of the Channel 37 issues from the Report and Order in the Part 15 Rulemaking that will be considered at the Commission's August Open Meeting and urge the Commission to give parties adequate time to resolve concerns of harmful interference to WMTS before the Commission's March 29th start date for the auction.

Thank you for your prompt attention to this matter.

Sincerely,



Robert E. Latta
Member of Congress



Greg Walden
Member of Congress



Marsha Blackburn
Member of Congress



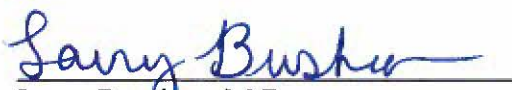
Brett Guthrie
Member of Congress



Gus Bilirakis
Member of Congress



Pete Olson
Member of Congress



Larry Buckton, M.D.
Member of Congress




Kevin Cramer
Member of Congress




Renee Ellmers
Member of Congress



Bill Johnson
Member of Congress



Billy Long
Member of Congress



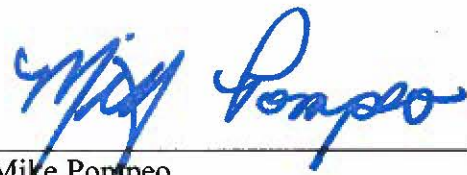
Joseph R. Pitts
Member of Congress



Adam Kinzinger
Member of Congress



Chris Collins
Member of Congress



Mike Pompeo
Member of Congress



Leonard Lance
Member of Congress