



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

September 1, 2015

The Honorable Cory Booker  
United States Senate  
141 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Booker:

Thank you for your letter regarding repacking full-power TV broadcasters in the 600 MHz Band following the Incentive Auction.

I share your view that unlicensed spectrum is an important catalyst for innovation, and the Commission has taken a wide range of actions to make more spectrum available for unlicensed use. Specifically in the context of the incentive auction, the Commission has authorized unlicensed use of Channel 37, the guard bands, and duplex gap that will be part of the new 600 MHz band plan after the auction. Additionally, the Commission proposed to set aside one vacant channel in the TV band for unlicensed use.

As you note, our auction system could assign some TV broadcasters to the duplex gap if there is not sufficient channel capacity in the TV band in a market to accommodate all of the broadcasters that wish to remain on the air after the auction. At the same time, we also adopted a cap on the ability of the system to assign stations to the wireless band to limit impairments to the spectrum being made available for wireless broadband use – unlicensed as well as licensed. The Commission staff analysis indicated that broadcast stations may need to be placed in the duplex gap in only a handful of markets. However, the Commission has proposed to protect a second vacant television channel for unlicensed use and wireless microphones in markets where broadcasters are placed in the duplex gap.

The flexibility to assign some TV stations to the wireless band is important because we do not know in advance how many broadcasters in each market will elect to participate in the auction. If we did not have the flexibility to assign some stations to the wireless band, including the duplex gap, our ability to repurpose 600 MHz spectrum for wireless broadband would be limited because we would have to make the TV band big enough in every market to accommodate the market with the greatest number of stations remaining on the air, even if a smaller TV band would be sufficient for the vast majority of the country.

As you note, stakeholders voiced their concerns associated with assigning TV stations to the duplex gap. The Commission carefully considered their views, and I believe the rules we adopted strike the appropriate balance between providing the necessary flexibility for a successful auction and preserving spectrum for unlicensed use.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,



Tom Wheeler



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September 1, 2015

The Honorable Marco Rubio  
United States Senate  
317 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Rubio:

Thank you for your letter regarding repacking full-power TV broadcasters in the 600 MHz Band following the Incentive Auction.

I share your view that unlicensed spectrum is an important catalyst for innovation, and the Commission has taken a wide range of actions to make more spectrum available for unlicensed use. Specifically in the context of the incentive auction, the Commission has authorized unlicensed use of Channel 37, the guard bands, and duplex gap that will be part of the new 600 MHz band plan after the auction. Additionally, the Commission proposed to set aside one vacant channel in the TV band for unlicensed use.

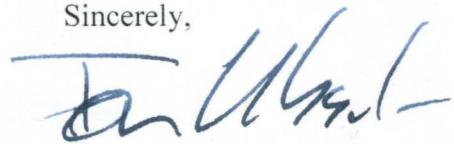
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September 1, 2015

The Honorable Charles E. Schumer  
United States Senate  
322 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Schumer:

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I share your view that unlicensed spectrum is an important catalyst for innovation, and the Commission has taken a wide range of actions to make more spectrum available for unlicensed use. Specifically in the context of the incentive auction, the Commission has authorized unlicensed use of Channel 37, the guard bands, and duplex gap that will be part of the new 600 MHz band plan after the auction. Additionally, the Commission proposed to set aside one vacant channel in the TV band for unlicensed use.

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Tom Wheeler