

**STATEMENT OF  
CHAIRMAN KEVIN J. MARTIN**

***Re: Unlicensed Operation in the TV Broadcast Bands, ET Docket No. 04-186; Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band, ET Docket No. 02-380***

Today's approval of rules authorizing the use of television (TV) "white spaces" spectrum is a significant victory for consumers.

Today's action was advocated by a diverse coalition of consumer groups, technology leaders and Internet pioneers. Opening the white spaces will allow for the creation of a WiFi on steroids. It has the potential to improve wireless broadband connectivity and inspire an ever-widening array of new Internet based products and services for consumers. Consumers across the country will have access to devices and services that they may have only dreamed about before. I fully expect that everything from enhanced home broadband networks, to intelligent peer-to-peer devices, and even small communications networks will come into being in TV "white spaces."

More specifically, the rules adopted by the Commission establish a framework for enhanced wireless communications by building on a proven concept: the safe deployment of new, intelligent devices in the unused spectrum that exists between television channels.

We do so without disrupting TV services, wireless microphones, or other permitted uses of this spectrum. I have always said that opening the white spaces must be conditioned on protecting primary spectrum users from interference.

We have been cautious in our approach. Significantly, the Commission embarked on extraordinary testing. Not only did the Commission consider thousands of comments, ideas and recommendations submitted by the public, we opened up the testing of the prototype white spaces devices that had been submitted to the FCC. For months, both proponents and opponents of opening the white spaces participated in laboratory and field testing conducted by our engineers. OET also released a lengthy and detailed report of its findings to the public.

Normally, the Commission adopts prospective rules about interference and then certifies devices to ensure they are in compliance. Here, we took the extraordinary step of first conducting this extensive interference testing in order to prove the concept that white space devices could be safely deployed. Prior to going to market any white space device will undergo a rigorous certification process. Today's item protects broadcasters' operations. It also protects entertainment, sports and other significant venues, including the unlicensed operation of many wireless microphones and other wireless devices in those areas. Additionally, channels have even been set aside to protect wireless microphones in major markets.

In order to protect broadcasters, all white space devices must initially use geo-location in conjunction with database consultation to ensure they can operate in a particular location without interference. Manufacturers remain free to demonstrate that sensing-only devices can operate safely and efficiently, without causing interference to television viewers. Such devices will only be deployed after they have demonstrated their effectiveness through a vigorous, public, proof of performance process.

Similarly, manufacturers are challenged to show ways that devices using higher power levels that authorized today can be deployed on adjacent channels.

In conjunction with our other actions today regarding Verizon-Alltel and Sprint-Clearwire, opening up the TV white spaces furthers the goal of making wireless a powerful, competitive broadband platform and offers significant benefits to consumers across the country.