

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

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), Notice of Proposed Rule Making

At last year's rural WISP forum, I heard the call for more unlicensed spectrum from operators around rural America. They wanted more power and more capacity to drive broadband deployment deeper and farther into all corners of the country. I support today's item because it looks creatively at methods to accommodate unlicensed operations in vacant TV bands, a portion of the spectrum that has such favorable propagation characteristics for wireless broadband services. In this item, we are rightly exploring the latest and most exciting cognitive radios and spectrum sensing techniques that are available to see how they can enable spectrum facilitation in the TV bands.

Broadcasters have used public spectrum for many years to serve rural and urban areas alike in providing news, civic information, education and entertainment. Unlicensed operations should not be permitted in the television bands if they appear to be likely to cause harmful interference to TV reception, and I fully support our request for comment on how best to ensure that such interference is not caused by the operation of unlicensed devices. The American people care a lot about the quality of their television reception. Television broadcasts are viewed by people as perhaps the most sacred use of public spectrum. Their TV is not to be trifled with. We will hear an earful from consumers if this is not done right.

Finally, it is worrisome that we are undertaking this proceeding right in the middle of our important digital television transition. I have lingering concerns about the wisdom of allowing unlicensed operations in the vacant television bands before the DTV transition is complete, and I encourage commenters to fully address this timing issue and any problems that it creates.