

Bills support broadband over TV spectrum

February 23 2006

Two bills recently introduced in Congress aim to provide consumers with greater access to wireless broadband via unused broadcast television spectrum called "white spaces" or "empty channels."

Both are intended to address the disparity in availability and affordability of wireless broadband in various areas of the United States including some of the country's most rural and remote locations.

Sen. Ted Stevens, R-Alaska, is sponsoring the American Broadband Community Act, while Sens. George Allen, R-Va., and John Kerry, D-Mass., are sponsoring the bipartisan Wireless Innovation Act.

Between 40 percent and 80 percent of unused broadcast spectrum is in rural areas, according to the New America Foundation, and the average television market has more than 50 empty analog television channel slots.

"Allowing unlicensed operations in the broadcast band could play a significant role in bringing wireless broadband and home networking to more of our citizens by lowering costs, particularly in my home state of Alaska where connectivity is so important due to the state's remote location," Stevens said in a statement.

Under Stevens' bill, manufacturers would design unlicensed devices able to identify spectrum not in use by broadcasters, therefore allowing companies to offer broadband services to more consumers.

The bill also directs the Federal Communications Commission to create technical requirements for unlicensed devices to protect broadcasters and establish an interference complaint resolution process for broadcasters.

With the addition of using freed-up broadcast spectrum for wireless use, the bill would also amend the Communications Act of 1934 to do so.

More specifically, it would only let "unused broadcast television spectrum in the band between 72 and 698 megaHertz, inclusive, other than spectrum in the band between 608 and 614 megaHertz, inclusive, may be used by unlicensed devices, including wireless broadband devices."

But while the Allen and Kerry Winn Act has much of the same intentions as the ABC Act, they would require the FCC to permit unlicensed use of unassigned broadcast spectrum between 54MHz and 698 MHz within 180 days of enactment

"At a time when the U.S. is lagging behind much of the world in broadband penetration -- and more than 60 percent of the country does not subscribe to broadband service primarily because it is either unavailable or unaffordable -- our legislation would put this country one step closer to closing the economic digital divide and achieving ubiquitous broadband Internet access throughout America," said Allen in a statement.

Cosponsors of the Winn Act include Sens. Barbara Boxer, D-Calif., and John Sununu, R-N.H.

It is no surprise that the push for wireless is coming from lawmakers as cities are vouching for free city-wide municipal networks -- Boston, Chicago, Houston and New Orleans the latest.

The legislations also speeds up the FCC's 2004 efforts to let wireless Internet service providers operate on unused spectrum space, but broadcasters have said they worried it would interfere with reception on the broadcast spectrum.

As of February 2009 TV broadcasters must go digital, a date extended from the original 2006 deadline; leaving hi-tech companies and WISP's trying to gain as much spectrum possible as it is made available before the end of broadcast's transition from analog transmission to digital.

However, the broadcast industry has acknowledged the move away from analog, and says their focus is on a successful transition to digital, delivering the same quality programming as before.

"We look forward to working with Congress on this issue, with NAB's priority being the preservation of interference-free digital television reception for all Americans," said Dennis Wharton, a spokesman from the National Association of Broadcasters in a statement.

The bills may also call for reforming the 1996 Telecommunications Act given the evolving telecom environment.

Still, consumer groups such as the Consumer Union as well as rural telecom companies are supporting both bills, which they say will both help broadband access to rural and low-income regions of the country.

"Wireless, or WiFi, broadband, because of its low deployment costs and ability to reach distant consumers without costly infrastructure or equipment, offers the greatest opportunity for expanding broadband access to consumers who lack it," wrote Consumer Union's Senior Policy Analyst Jeannine Kenney and Free Press' Policy Director Ben Scott in a letter of support. "Broadband and other innovative wireless services offer the promise of increased economic development and jobs,

enhanced market competition, improved delivery of e-government services, and accelerated universal, affordable Internet access for all Americans."

But they also note that competition for the short supply of spectrum available could frustrate the promise of WiFi broadband, emphasizing that access to more and better airwaves is necessary.

"These airwaves are far too valuable to consumers to allow them to lay dormant," they wrote. "Opening the white spaces for new and innovative technologies is an essential step toward bridging the digital divide, bringing 21st century telecommunications to rural areas and providing affordable access to all Americans."

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