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Commissioner Kevin Martin
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Unlicensed Devices in White Spaces (FCC Docket 04-186)

Dear Sir,

Please accept my comments regarding FCC Docket 04-186, which is often referred to as the White Spaces proposals:

1. This White Spaces discussion, the debate, the proposals, and the ultimate decision have incredibly far reaching implications. Low-power, wireless microphones and other similar systems are very widely owned and used across all types of businesses, in courtrooms, state legislatures, county and city government meeting halls, education facilities, entertainment, recreation facilities, amateur and professional sports, theme parks, broadcasting, and in houses of Worship. Anywhere that an audio reinforcement or recording system is in use, there will probably be a few wireless microphones included in that system. Literally, there are hundred's of thousands of organizations that will be directly impacted by this decision. It seems even more interesting that many of the businesses that are so aggressively promoting this change (The "Wireless Innovation Alliance" members, including Google, Microsoft, HP, Motorola, & etc.), themselves routinely use the very wireless microphone and similar systems that they claim are illegal and unnecessary. Motorola openly advertises their brand name on the wireless intercom systems used on NFL football games, and I seriously doubt if they have taken the time and made the effort to make sure that every time that one of these wireless intercom systems used for an NFL game and for their advertising, that they have obtained all of the appropriate licenses and approvals. All of these firms both own and use these "illegal and unnecessary" wireless systems in their own corporate training facilities, in their own corporate communications departments, and in their own annual corporate stockholders meetings. It is incredibly inappropriate that this decision be forced to premature conclusion without adequate time for a thorough investigation of the scale of the proposed changes and consideration all of the technical ramifications.

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2. As an independent audio systems designer, my firm has existing clients, that have, over the last few years, replaced some or even all of their wireless microphone systems with new systems, in order to honor the original implications and now the formal requirements of the FCC to vacate the 700 MHz band, which will no longer be allocated for Broadcast Television as primary users, and Wireless Microphone systems as secondary users, after the completion of the DTV transition. For the most part, my clients have made these expenditures and the necessary changes without too much complaining, mostly due to the considerable and appropriate length of time between the decision to reallocate back in 2001 and the deadline to implement the changes in 2009. My clients had adequate time to plan for and to budget for the required changes. In most of their cases, these clients are now the proud owners of thousands of dollars of wireless systems that are unusable and soon to be illegal, with no opportunity to sell or reclaim any of their remaining value. To force another round of similar mandatory frequency reallocation changes onto every owner of wireless systems, over just the next several months, would certainly be unfair, but would very directly and financially double penalize every one of the owners that have already made the long planned reallocation changes, as required by the FCC.

3. While there is an apparent issue of whether any or all of these low-power wireless systems owners and users are correctly “licensed”, this is really a technicality and simply a smoke screen. The FCC has been very formally and routinely involved with ALL of the existing wireless microphone and similar systems manufacturers for decades, and the FCC has known exactly what has been going on over that entire time period. The fact that the FCC has chosen to both intimately oversee the manufacturers and simultaneously “ignore” the enormous growing demands for these wireless technologies, and then subsequently, they have failed to appropriately update their own codes and policies over the last 30+ years. This is NOT the fault of the wireless systems product manufacturers, owners, or the end users, and they should not be penalized for the bureaucratic problems within the FCC.

4. The most offensive part of this whole White Spaces discussion, is that it has become a matter of just big-money politics and influence, and it is no longer a matter of technical appropriateness, scientific study, and careful, thoughtful policies which weigh and consider all the ramifications.

(Section 4, continued from above) One of my questions would have to be, that since the 700 MHz band has been reallocated and has undergone an extensive competitive bidding process, where a number of large businesses were allowed to purchase a slice of that bandwidth, why do we now also need to give up all the White Spaces, which have been in use by secondary users for the last 30+ years, and also, why do we have to give up these White Spaces for free, to the same large businesses that bid on the 700 MHz band, and that will only use this bandwidth to further extend their profit making enterprises? Wasn't the auction of the 700 MHz band intended to provide these large businesses with the opportunity to compete for and to provide expanded and enhanced IP, Voice, Video, and other wireless services to their clientele? Why do they now have to use their political clout to muscle out the multitudes of low-power, wireless users that have come to depend on low-power wireless systems in these White Spaces, as parts of their business operations. I sincerely believe that this entire question should have been referred back to the FCC's own Office of Engineering and Technology for a careful and considered study, and kept out entirely of the political arena.

In closing, I would like to strongly recommend that the FCC reject the Wireless Innovation Alliance's proposals which would reallocate the White Spaces to their profit making endeavors, and to formally dedicate and protect the hundreds of thousands of existing low-power wireless systems users that depend on the White Spaces for their business operations. There is enough bandwidth for everyone, it just needs to properly administered and protected by the one organization that was specifically created and exists for this very purpose.

Sincerely,

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Cc: Public Distribution