



December 11, 2012

The Honorable Fred Upton
Committee on Energy and Commerce
2183 Rayburn House Office Building
Washington, DC 20515

The Honorable Henry Waxman
Committee on Energy and Commerce
2204 Rayburn House Office Building
Washington, DC 20515

The Honorable Greg Walden
Subcommittee on Communications
and Technology
2182 Rayburn House Office Building
Washington, DC 20515

The Honorable Anna Eshoo
Subcommittee on Communications
and Technology
205 Cannon House Office Building
Washington, DC 20515

Dear Chairmen and Ranking Members:

The Telecommunications Industry Association (TIA), the leading trade association for global manufacturers, vendors, and suppliers of information and communications technology, wishes to thank you for your key roles in the passage of voluntary incentive auction legislation. The 2012 spectrum law will help to alleviate the spectrum crunch, raise revenues for debt reduction, and fund the construction of a nationwide interoperable public safety broadband network.

TIA and its member companies have been working with the FCC as it proceeds to implement the voluntary incentive auctions. TIA has also been working closely with NTIA on collaborative efforts to make additional spectrum available for broadband use. As the Energy & Commerce Committee prepares to receive testimony from the FCC commissioners, we urge you to focus on the following issues:

Voluntary Incentive Auctions

Maximizing Licensed Spectrum. The FCC should develop a spectrum “re-packing” plan that maximizes the amount of spectrum available at auction for licensed mobile services. In doing so, the FCC must abide by Congress’ mandate that guard bands be minimized so that they are no larger than is technically reasonable to prevent harmful interference between licensed services.

Simplifying Auction Rules. The reverse auction rules should be as simple as possible to attract the greatest possible number of broadcast participants. The FCC should offer existing licensees an attractive financial incentive for facilitating the clearing of spectrum, since the spectrum law gives the agency only one chance to “get this right.”

Allowing Broad Participation. The success of the incentive auction ultimately hinges on the participation of all possible bidders in the forward auction. The FCC should not limit the eligibility of participants, and the rules should also provide for the earliest possible repacking / reclaiming of the broadcast spectrum.

Federal Spectrum

Clearing Bands. TIA supports the clearing of re-purposed federal spectrum bands to the maximum extent feasible. Cleared, exclusively licensed spectrum bands allow for the most efficient and dependable use of spectrum suitable for mobile broadband deployment, and maximize network investment, marketability, availability and consumer use.

In spectrum bands that cannot be cleared for exclusive licensed use, the most promising forms of sharing by mobile broadband networks, including those based on LTE technology, are licensed sharing with geographic, frequency or time-based coordination, including exclusion zones. Spectrum sharing, whether based on sensing technology or the FCC's Part 15 unlicensed rules, presents technical challenges when required of certain technologies, including LTE.

Transparency. TIA also urges Congress to continue pressing federal stakeholders for additional transparency regarding existing uses of federal spectrum. A comprehensive inventory of federal spectrum use would facilitate the development of market-oriented process that would ensure that limited spectrum resources are allocated more efficiently – whether to federal or commercial purposes.

Simplifying Regulations

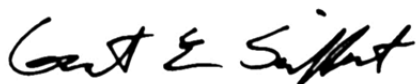
Congress should continue to support the FCC's efforts to streamline and simplify regulations, resulting in increased market certainty, investment, and heightened quality and choice in ICT products and services. As one example, the FCC is currently seeking comment on a TIA Petition for Rulemaking that would facilitate more widespread use of electronic device labeling – a common-sense proposal that would increase the accessibility of important product information for consumers while simultaneously reducing manufacturing costs.

Public Safety

As the Committee looks ahead to 2013, TIA encourages Congress to continue its oversight to ensure the rapid development of a nationwide public safety broadband network, and to build on the important progress in the 2012 spectrum law by working with stakeholders on additional legislation to further modernize the nation's 9-1-1 system.

For more information, please contact Danielle Coffey at (202)-346-3243 or by email at dcoffey@tiaonline.org. TIA once again thanks you for your work on these important issues, and we look forward to continued progress in 2013 and beyond.

Sincerely,



Grant E. Seiffert
President