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GOP lawmakers question FCC's push for unlicensed spectrum

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Republican lawmakers on a House committee said yesterday the FCC should not be "giving away" spectrum by allowing the radio waves between TV broadcast stations to remain open for unlicensed wireless use.

That FCC proposal for unlicensed spectrum is one part of the FCC's sprawling plan to auction TV broadcast spectrum in 2014 in a series of incentive auctions. The status of the auctions was the subject of a hearing of the House Energy and Commerce Committee's communications subcommittee, where lawmakers grilled all five FCC commissioners on a host of spectrum issues. The auction process, which will pay broadcasters to give up their spectrum and then auction it off to wireless carriers, is intended to help fund a nationwide, public safety wireless network.

While Democrats on the subcommittee were largely supportive of the FCC's plans, Republicans countered that the emphasis on unlicensed spectrum was misplaced. "While I'm not about to micromanage how the FCC operates the auction, I do expect the FCC will follow the law, including maximizing the proceeds from the auction," Rep. Greg Walden (R-Ore.), the subcommittee chairman, said at the hearing, according to *The Hill*.

The FCC, when it voted in September to start setting rules for the broadcast auctions, set aside 12 to 20 MHz for unlicensed use. FCC Chairman Julius Genachowski defended the push, noting that Wi-Fi networks rely on unlicensed spectrum. "Unlicensed spectrum has a powerful record of driving innovation, investment, and economic growth--hundreds of billions of dollars of value creation for our economy and consumers," Genachowski said.

Walden said that the size of the guard bands the FCC wants to set aside for unlicensed use--6 MHz to 10 MHz chunks--are too large. "What I cannot support is the unnecessary expansion of unlicensed spectrum in other bands needed for licensed services, especially at the expense of funding for public safety," he said, adding that the plan could cost the government an additional \$7 billion in revenue.

Robert McDowell, a Republican FCC commissioner, said it would be premature for the FCC to set aside new unlicensed spectrum. "At this early stage in the incentive auction process," he said, "it is not apparent that we should stop the progress well under way in the TV white spaces arena to create a solution for a problem--an alleged shortage of unlicensed spectrum in lower spectrum bands--that

may never exist."

Earlier this month the FCC [authorized approved TV white space database systems](#) in the East Coast region to provide service to unlicensed radio devices that operate on TV white space spectrum. The FCC said it was "a significant step" toward providing for nationwide operation of TV white space devices. White spaces are the unused slivers of spectrum that sit between the spectrum used by TV stations.

Republican and Democrats on the panel were also split on whether the auction would be designed to limit the amount of spectrum large wireless carriers like Verizon Wireless ([NYSE:VZ](#)) and AT&T Mobility ([NYSE:T](#)) can acquire. The FCC is reviewing its rules for how much spectrum a carrier should be able to hold. Democrats seemed to favor an approach that would allow the FCC to set limits on undue concentration while Republicans were opposed to it. The proceeding, which deals with the FCC's so-called "spectrum screen," could impact which carriers are able to participate in the incentive auction.

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