Broadcast LAW BLOG



As Broadcasters Return From NAB Convention, FCC Extends Date for Comments on Policies Leading to Repurposing TV Spectrum for Broadband

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The FCC has granted a one week extension for reply comments in the proceeding looking to take many of the preliminary steps toward incentive auctions by which the FCC would reclaim parts of television spectrum for use by wireless broadband companies. Comments are now due on April 25. We wrote about the many issues in this proceeding, here. Issues include the sharing of channels by independent television stations, whether stations that share spectrum are entitled to must carry rights under governing law, and how the FCC can change the digital television operational rules to make the use of VHF frequencies, where stations operating on those channels have experienced severe technical issues after the digital transition, more friendly for digital operations if the television spectrum needs to be repacked so that contiguous portions of the UHF band can be auctioned to wireless companies.

The extension was requested by a number of broadcast groups, partially based on the fact that the NAB Convention in Las Vegas has just concluded, and that there was much discussion at the Convention on the topic - including much discussion from FCC officials. The broadcast community wanted the opportunity to respond to digest and respond to these discussions, thus the need for the brief extension. This remains a very hot issue, with the FCC officials who attended the NAB Conference clearly pushing the agenda advanced in the <u>Broadband Plan</u> to reclaim some of the television spectrum for wireless uses. Thus, these replay comments are very important, as they may set the stage for the incentive auctions and possible repacking of the television spectrum that may follow.

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