

FCC Invites Public to Test TV White Spaces Database; Rules on Collection of White Spaces Info Go Into Effect

By Brendan Holland

September 14, 2011

The FCC today announced the public testing of a **new TV White Spaces database system**. Starting on September 19, 2011, the FCC's Office of Engineering and Technology will open a 45-day window to allow the public to try out the TV Band Database developed by one of the potential TV White Spaces database managers. If approved, the Database will be used by white space devices to find available frequencies and avoid interfering with authorized services and registered facilities. As we have written about previously ([here](#)) the Commission has adopted new rules to allow unlicensed devices to operate in the television spectrum, but such operations must protect incumbent users. Accordingly, as part of those rules, the Commission has required the development and use of a database, which TV band devices will be required to access periodically in order to determine available frequencies and adjust their operation. As we discussed [here](#), the Commission has tentatively selected a number of parties to serve as database managers to develop and maintain such TV white spaces databases. With this upcoming public trial, interested parties will now have a chance to test the database system developed by one such potential database manager. As part of its authorization process, each interested database manager will be subject to a similar trial period of no less than 45 days.

During this trial period, interested parties are encouraged to test the database, including the basic functionality, including the following elements: The channel availability calculator; cable headend and broadcast auxiliary receive site registration; and wireless microphone registration. Starting on Sept. 19th, the TV band database can be accessed [here](#). The test site will provide a description of the trial, details on use of the system, and a link for feedback. Following the conclusion of the test, the potential database manager will submit a report to the Commission, which will also be available for public review and comment. At the end of the process, the FCC will determine whether this particular system complies with the rules and requirements and whether this database manager will be authorized to operate one of the official databases. In addition to giving feedback to the database manager through the test site, parties can also submit comments directly to the FCC in the open docketed proceeding ET Docket No. 04-186 regarding the TV bands database systems through the FCC's [Electronic Comment Filing System](#). A full copy of today's Public Notice can be found [here](#).

In addition, perhaps coincidentally, today it was announced in the Federal Register that the rules involving the collection of information for these white spaces database have received OMB approval and those data collection rules are now in effect. So once the first database managers gain FCC approval and bring their databases online, the government has the green light to instruct parties to populate the databases by registering their services and facilities for protection.

This advisory is a publication of Davis Wright Tremaine LLP. Our purpose in publishing this advisory is to inform our clients and friends of recent legal developments. It is not intended, nor should it be used, as a substitute for specific legal advice as legal counsel may only be given in response to inquiries regarding particular situations.