



Thomas A. Schatz
President

December 10, 2020

Chairman Ajit Pai
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Commissioner Jessica Rosenworcel
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Commissioner Michael O’Rielly
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Commissioner Geoffrey Starks
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

Commissioner Brendan Carr
Federal Communications Commission
45 L Street, N.E.
Washington, D.C. 20554

RE: Rules Governing the Use of Distributed Transmission System Technologies (MB Docket No. 20-74); Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard (GN Docket No. 16-142)

Dear Chairman Pai, Commissioners Rosenworcel, O’Rielly, Starks, and Carr,

On behalf of the more than one million members and supporters of Citizens Against Government Waste (CAGW), I am submitting this ex parté letter in response to the Notice of Proposed Rulemaking (NPRM) on Rules Governing the Use of Distributed Transmission System Technologies (MB Docket No. 20-74) and Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard (GN Docket No. 16-142), adopted by the Federal Communications Commission (FCC) on March 31, 2020.¹

CAGW is concerned that the draft proposal will enable frequency disruptions to fixed wireless broadband service using unlicensed TV white space, which was adopted as a Report and Order only six weeks ago during the October 27, 2020 meeting.² The expansion of broadband in rural communities using an all-of-the-above approach is critical to keeping Americans connected across the country, and the use of the unlicensed white space is a key component to this effort. CAGW led a coalition which strongly urged the FCC to adopt rules that would permit the use of TV white space

¹ Federal Communications Commission, “Notice of Proposed Rulemaking In the Matter of Rules Governing the Use of Distributed Transmission Systems Technologies (MB Docket No. 20-74); Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard (GN Docket No. 16-142),” Adopted March 31, 2020, <https://docs.fcc.gov/public/attachments/FCC-20-43A1.pdf>.

² Federal Communications Commission, “Report and Order and Further Notice of Proposed Rulemaking in the Matter of Unlicensed White Space Device Operations in the Television Bands (ET Docket No. 20-36),” Adopted October 27, 2020, <https://docs.fcc.gov/public/attachments/FCC-20-156A1.pdf>.

spectrum for these purposes, noting that, “Increasingly, daily life requires reliable internet access, including paying bills, buying goods and services, completing homework assignments, and telehealth. The proposed TVWS rule is a leap forward for those whose lives will be improved by this technology, and we urge its adoption before the end of 2020.”³

The petition initiating the NPRM requests the FCC to “permit, within certain limits, DTS signals to spillover beyond a station’s authorized service area by more than the ‘minimal amount’ currently allowed.” It is our understanding that if this increase in signal spillover is allowed, there may be critical disruptions to fixed wireless broadband services using TV white space spectrum. While there may be potential benefits of using DTS technologies to reach hard-to-serve television viewers who receive their programming over the air, those benefits must be weighed against the need to expand broadband services in areas of the country that are either unserved or underserved, including the development of TV white space based on the FCC’s decision. Fixed wireless broadband services operating within the TV white space should not be disrupted by signal bleed coming from DTS technologies. Therefore, CAGW recommends that the signal spillover currently allowed by the FCC rules should be maintained to avoid undermining the October 27 Report and Order with unintended consequences to broadband deployment.

It is our understanding that this item has been placed on circulation rather than being considered through the transparent process instituted by Chairman Pai that allows for the review and public comment on critical items like this NPRM prior to an upcoming FCC monthly meeting. By placing this item on circulation, this transparent process has been circumvented, removing the ability for interested parties to weigh in on the various components of the item before it is voted on. Signal bleed that may be caused by DTS technologies if the petitioners are permitted to exceed current spillover limitations could disrupt broadband services using TV white space spectrum, the value of which the FCC has recognized. We strongly urge you to take the item out of circulation to allow for a fuller exploration and discussion of potential signal interference between the DTS technologies and TV white space technologies.

Again, I urge you to delay the vote on circulation for this item and maintain the current allowed signal spillover for DTS systems to protect and encourage broadband deployment in rural communities using TV white space technology.

Sincerely,



Thomas A. Schatz
President

³ Federal Communications Commission, Coalition Letter signed by Citizens Against Government Waste, The American Consumer Institute, FreedomWorks, American Commitment, R Street Institute, The Committee for Justice, Taxpayer Protection Alliance, Lincoln Networks, Small Business & Entrepreneurship Council, Innovation Economy Institute, and Innovation Defense Foundation, “In the Matter of Unlicensed White Space Device Operations in the Television Bands (ET Docket No. 20-36; FCC 20-17; FRS 16585), April 26, 2020, <https://ecfsapi.fcc.gov/file/10427252314686/Coalition%20Letter%20Regarding%20TVWS%20ET%20Docket%2020-36%20final.pdf>.