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ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

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June 1, 2015

Mr. Gary Epstein
Chair
Incentive Auction Task Force
Federal Communications Commission

Mr. Julius Knapp
Chair
Office of Engineering and Technology
Federal Communications Commission

Mr. John Leibovitz
Deputy Chief, Wireless Telecommunications Bureau
Special Advisor to the Chairman for Spectrum Policy
Federal Communications Commission

Mr. Roger Sherman
Chief
Wireless Telecommunications Bureau
Federal Communications Commission

Dear Mr. Epstein, Mr. Knapp, Mr. Leibovitz, and Mr. Sherman:

Thank you for appearing before the Subcommittee on Communications and Technology on March 26, 2015, to testify at the hearing entitled "Next Steps for Spectrum Policy."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. As with your written testimony, you may submit a joint response to these questions.

The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Monday, June 15, 2015. Your responses should be mailed to Charlotte Savercool, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515 and e-mailed in Word format to Charlotte.Savercool@mail.house.gov.

Thank you again for your time and effort to testify before the Subcommittee.

Sincerely,

Greg Walden
Chairman
Subcommittee on Communications and Technology

cc: Anna Eshoo, Ranking Member, Subcommittee on Communications and Technology

Attachment

Attachment—Additional Questions for the Record

The Honorable Gus Bilirakis

1. We all know that there is a spectrum crunch in this country for licensed and unlicensed services. I believe unlicensed spectrum offers a real promise for the future, and I've been very interested in the growing "Internet of Things" which is reliant on unlicensed spectrum. I was proud that a team from USF was a part of the Internet of Things showcase yesterday having invented a way to more efficiently track perishable goods.

   Because of the lack of unused spectrum, I think spectrum sharing is an important option for efficiency and access in the future.

   Can you talk about what the FCC is doing to make sharing a reality in the 5.9 GHz (giga-hertz) band, which might be our best short term opportunity?

2. I'm intrigued by the broadband deployment opportunities you mention in your testimony for industrial applications, including health care. I've got a lot of seniors and veterans in my district that are increasing involved in the healthcare market. I enjoyed our joint health and telecom subcommittee hearing last Congress that focused on this new intersection of treatment and technology.

   I've seen wireless technology that can organize medical records and keep track of medications, and the future of sensor technology seems to be boundless.

   Can you expand a little more about how you envision the future of wireless technology's impact on the health care sector and where, including the 3.5 gigahertz band and elsewhere, might there be room for efficient spectrum utilization?

3. I understand that the FCC is in the process of drafting rules to make the 3.5 GHz band available for mobile broadband. I also understand that the Navy uses this spectrum for ship-borne radar and that the exclusion zones along the coast would cover over 50 percent of the population, including major cities with significant populations that would most benefit from access to this spectrum.

   Are you exploring ways to increase commercial access in this space for coastal populations and has there been any progress in tailoring the size of these exclusion zones so that both objectives can be addressed?

The Honorable Bill Johnson

1. What data and analysis are you relying on to support the claim that the relocation fund will be sufficient? Under the FCC's current plan for repacking broadcasters, would the relocation fund be sufficient to pay for the move of all broadcasters after the auction is over, or just a portion of those moves?

2. What is the FCC's plan in case the relocation fund is not sufficient to pay for moving all broadcasters?

3. Will the FCC commit to ensuring that broadcasters that do not participate in the voluntary incentive auction but are assigned new channels and thus required to move in the repacking process will not be required to pay for any portion of that move that comes as a result of changing channel assignments?

The Honorable Chris Collins

1. I am concerned that border stations – such as those in Buffalo and Rochester – may be disadvantaged by an insufficiency of the relocation fund and reimbursement window if International coordination is not completed before the auction. Is the FCC making any arrangements for stations that can only be repacked following agreements with Canada and Mexico to be reimbursed if those moves can only occur after the three-year reimbursement window?

The Honorable Anna Eshoo

1. In an effort to unlock more unlicensed spectrum, Reps. Latta, Matsui, Issa, DelBene and I recently introduced the Wi-Fi Innovation Act. Our bipartisan, bicameral bill directs the FCC to conduct tests within the 5 GHz spectrum band to determine if spectrum can be shared without interfering with current users. What is the FCC's timeframe for completing testing in this band? What is the Commission doing to ensure consumers who rely on Wi-Fi are protected if LTE-U technology is deployed in this band or any other band in which Wi-Fi currently operates?

2. In 2012, Congress reached a compromise intended to ensure unlicensed use of the guard bands. I'm concerned that some stakeholders are arguing that unlicensed should not be permitted in the duplex gap. Do you see any reason why TV white space devices cannot operate at low power in at least the duplex gap, as the Commission ordered last May?

3. Over the past year and a half, I've urged the agency to engage proactively in outreach to broadcasters about the benefits of participating in the upcoming incentive auction, so I was pleased when the FCC announced in November that they would be taking this outreach on the road with more than a dozen trips, covering about 50 markets, including San Francisco. While respecting confidentiality, can you characterize how these visits have been received by broadcasters?

4. In late 2013, Congressman Dingell and I wrote to the Commission about the need for coordination with Canada and Mexico so that Americans in border areas don't lose access to free, over-the-air television signals. What's the status of these negotiations?

The Honorable Yvette Clarke

1. The FCC's Designated Entity (DE) program promotes diversity of ownership and helps small businesses to compete in the FCC's auctions for new wireless frequencies.

How does the Commission plan to improve the DE program, in light of the recent criticisms of the program during the AWS-3auction?

2. How does the Commission plan on preserving access to unlicensed spectrum in order to ensure that innovative Wi-Fi-based technology is able to continue to benefit society?

3. Much of the incentive auction's success is based on broadcaster participation. They will, in turn, provide the demand for the auction's next stage. What is the plan to ensure that broadcasters adequately participate in the auction and what incentives are the FCC offering to increase their engagement?

4. I commend the FCC on its aggressive, and very forward thinking approach to spectrum policy. I'm also interested in how the FCC will work towards fostering meaningful participation of small, minority- and women-owned businesses in the upcoming incentive auction. Mr. Sherman, will you speak to this point please?

5. I understand that critical processes post incentive auction involve REPACKING and CHANNEL SHIFTING to accommodate acquired broadcast spectrum. Can you share how the FCC proposes to engage in these processes, and ensure that consumers are adequately informed about the impacts?

6. Is there any discussion currently at the FCC about the consumer outreach that will be necessary to minimize viewer confusion and disruption after stations are repacked?

7. Has there been discussion about setting aside monies for an education initiative?