



# NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FOR IMMEDIATE RELEASE  
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## **FCC INITIATES PROCEEDING TO FACILITATE WIRELESS BROADBAND ACCESS IN THE 2500-2690 MHZ BANDS**

Washington, D.C. – The Federal Communications Commission (Commission) today opened a proceeding designed to facilitate the provision of fixed and mobile broadband access, educational and other advanced wireless services in the 2500-2690 MHz bands. By this action, the Commission seeks to promote competition, innovation and investment in wireless broadband services, and to promote educational services. Additionally, the Commission also seeks to foster the development of innovative service offerings to consumers as well as educational, medical and other institutions, simplify the licensing process and delete obsolete and unnecessary regulatory burdens.

Currently, the 190 megahertz of spectrum in the 2500-2690 MHz bands is designated for the provision of Instructional Television Fixed Service (ITFS), Multipoint Distribution Service (MDS) and the Multichannel Multipoint Distribution Service (MMDS) (collectively, the Services). The Services and the potential uses for the spectrum allocated to them have evolved significantly since they were established in 1963. On October 7, 2002, the Wireless Communications Association International, the National ITFS Association and the Catholic Television Network (collectively, the Coalition) – representatives of licensees of the Services -- submitted a proposal requesting that the Commission substantially change the rules governing the Services. With this Notice of Proposed Rulemaking and Memorandum and Opinion and Order adopted today, the Commission commences a comprehensive examination of the rules and policies governing the Services in order to provide greater opportunities for increased access to spectrum establish uniform regulatory policies for similar services and encourage efficient and effective utilization of spectrum.

Accordingly, in the Notice of Propose Rulemaking, the Commission requests comment on operational, technical, and procedural rule changes. Specifically, the Commission invites comment on how to reconfigure the 2500-2690 MHz band, including but not limited to the Coalition's proposal. The Commission also seeks comment on how best to promote increased access to and efficient utilization of ITFS spectrum. For example, the Notice considers both a geographic licensing approach and an unlicensed approach for available ITFS spectrum. The Notice also proposes technical rules designed to increase licensee flexibility while eliminating unnecessary regulations and protecting incumbent operations in the 2500-2690 MHz bands, including rules governing mobile operations.

In addition, the Notice proposes to simplify and streamline the licensing process for the Services. In this connection, it proposes application filing and processing procedures to facilitate implementation of the Services into the Universal Licensing System.

As a result of these proposed rule changes, the Commission anticipates that licensees will be afforded an opportunity to provide alternatives for the provision of broadband services to consumers in urban, suburban, and rural areas. The rule changes will also improve opportunities for distance learning and telemedicine services by new or incumbent licensees.

In the Memorandum Opinion and Order, the Commission suspends construction deadlines for current MDS and ITFS authorization holders pending the completion of this rulemaking proceeding. The Commission determined that a suspension was necessary while it reexamines the performance requirements for authorization holders. The Commission also establishes a Gulf of Mexico service area for the MDS, which has been the subject of an outstanding Notice of Proposed Rulemaking adopted last year.

Action by the Commission on March 13, 2003, by Notice of Proposed Rulemaking and Memorandum Opinion and Order (FCC 03-56). Chairman Powell, Commissioners Abernathy, Copps, Martin and Adelstein with Chairman Powell and Commissioners Abernathy and Copps issuing separate statements.

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WT Docket No. 02-68; 03-66; 03-67; MM Docket No. 97-217.