**Before the**
**Federal Communications Commission**
**Washington, D.C. 20554**

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| In the Matter of | ) | |
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| Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems | ) | ET Docket No. 00-258 |
| | ) | |
| Petition for Rulemaking of the Cellular Telecommunications Industry Association Concerning Implementation of WRC-2000: Review of Spectrum and Regulatory Requirements for IMT-2000 | ) | RM-9920 |
| | ) | |
| Amendment of the U.S. Table of Frequency Allocations to Designate the 2500-2520/2670-2690 MHz Frequency Bands for the Mobile-Satellite Service | ) | RM-9911 |

COMMENTS OF THE AMERICAN FEDERATION OF TEACHERS

The American Federation of Teachers (AFT) submits these comments regarding the FCC Notice of Proposed Rule Making and Order released Jan. 5, 2001, in the proceeding captioned FCC 00-455. The NPRM solicits comments on whether to designate various frequency bands to be used for advanced mobile services, including Third Generation mobile services (3G). Among the bands being considered is the 2500-2690 MHz spectrum now allocated to and used by educators, non-profit organizations and businesses that operate in the Instructional Television Fixed Service (ITFS) and Multichannel Multipoint Distribution Service (MMDS).

The AFT opposes reallocation or sharing of the 2500-2690 MHz bandwidth for advanced mobile services and urges the FCC to preserve this spectrum for education purposes under the ITFS program. The AFT submits these comments on behalf of its more than 1 million members who are K-12 teachers and school aides, higher education staff, health care professionals, and state and local public employees. Our members educate students throughout the nation, but large concentrations of these students attend schools in America's neediest communities. These communities, their schools, and local colleges struggle for adequate educational resources. They would be affected adversely by a decision to reallocate the spectrum currently used for ITFS.

For almost 40 years, ITFS license holders have supplied a wide range of distance learning opportunities to children and adults, including teachers and health care professionals, usually through one-way transmission of video programs. The FCC recently has made it possible for ITFS to deliver more advanced wireless services, such as high-speed Internet access to schools, using this fixed wireless spectrum, and many license holders are now investing in making the switch to these digital technologies.

Disruption of current ITFS educational services and halting providers' plans to deliver more advanced services using this spectrum would be a tremendous loss of an instructional resource and the financial investments made by many school districts, education institutions, and communities. The major benefit of ITFS is that it expands educational opportunities in communities through technology. Education licensees' broadcasts to students play an important role in supplementing school instructional resources and reinforcing student learning. Also, many education license holders link to local cable providers, businesses, and community-based institutions to extend the reach of their programs throughout the communities they serve.

A second benefit of ITFS is that it provides its own financing mechanisms for expanding educational opportunities. Through business partnerships, local ITFS providers help pay their program operating costs and contribute revenues to cash-strapped school district budgets. Encouraged by the FCC, many education license holders sublease parts of their unused broadcast capacity to commercial companies. License holders receive leasing fees that contribute additional revenues to education budgets, and businesses that sublease provide state-of-the-art communications facilities and equipment to education license holders.

Below are a few examples of the variety of services currently offered by some ITFS licensees.

- WLRN in Miami, FL—WLRN's license, held by the Miami-Dade County School District, serves all 366,000 K-12 students in the system, their teachers, and Florida International University. It also serves the general public by broadcasting PBS TV and National Public Radio programs.

  Teachers at any Miami school may order video programs from an enormous catalog held in the WLRN video library. Videos cover all academic subjects in the curriculum; approximately 600 new videos are added to the library every two months. Videos are made available to teachers upon request. On one WLRN channel, teachers can take courses from Florida International University as they pursue certification, master's degrees, or continuing education credits.

  A WLRN Spanish-language station, linked to cable networks, offers a variety of programming, including English as Second Language courses, news, and other Spanish-language broadcasts.

- WHRO in Norfolk, VA—WHRO is owned by a consortium of 13 school divisions. Its broadcasts serve many sparsely populated areas in Virginia, North Carolina, and Maryland. Services reach 27 school districts and private schools and 14 colleges and universities. Professional development for school staff is disseminated to a dozen school districts. Another WHRO channel provides professional development to physicians who practice in rural areas of Virginia, Maryland and North Carolina through 19 rural health care facilities, postsecondary institutions, and doctors' offices. Also, WHRO airs college courses that reach almost a half a million adults in their homes through cable subscriptions.

- The University of Minnesota and Stanford University licenses are widely used to supply professional training to workers. At the University of Minnesota, employees at 31 companies, including IBM and 3-M, are enrolled regularly in credit and non-credit courses delivered at 38 work sites. Stanford University has established partnerships with approximately 350 corporations, mostly high-tech firms in Silicon Valley, and offers 250 graduate courses to more than 4,000 professionals in their workplaces. Two-way audio permits ongoing interactions between professors on campus and students at workplace learning sites.

The growing awareness of the new possibilities that advanced technologies offer education promises to make ITFS an even more valuable resource. The examples cited show how important ITFS has been for students and adult learners in diverse communities. Commission rulemaking in the late 1990s that permits the ITFS band to be offered in digital formats, be used for two-way, interactive transmissions and to transmit data, as well as voice and video, ITFS may now be used to offer high-speed (broadband) services, including Internet access. Making the transition to new digital technologies will permit expanding the number of channels that each license holder has available for programming, making the programming interactive between those at sending and receiving sites. Students will have access to course offerings, research information, and other educational resources that are not available in local school libraries. They will be able to communicate with distance learning teachers, experts, or their peers around the world in "real-time." Similarly, more teachers, health care workers, and other employees will have access to professional training and be able to interact with instructors and colleagues to share ideas and best practices. Some ITFS providers have begun to offer these more advanced services; others are in the planning stages. Hundreds of license holders have been applying for these new advanced services since August 2000.

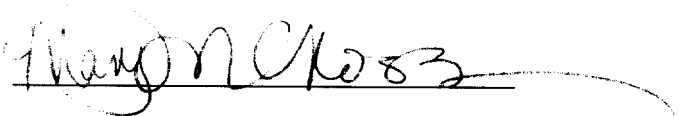
ITFS and MMDS are positioned uniquely to help bridge the Digital Divide. As plans are being made to deliver broadband technologies to schools, many ITFS license holders and their commercial counterparts (MMDS) are planning to offer wireless broadband technologies to residents in the communities they serve. Citizens living in poor urban and sparsely populated rural areas will have high-speed access to the Internet at affordable prices. For many of these communities, ITFS and MMDS are the only options for obtaining these advanced services. Providers of Digital Subscriber Line (DSL) and cable modem broadband technologies routinely bypass poor and isolated areas because they are too expensive to connect and/or they will not be profitable markets. Even if DSL or cable modem companies decided to furnish broadband to these communities, the costs to consumers undoubtedly would be prohibitive.

The transmission and reception range of stations that operate in the 2500-2690 MHz band are suitable for reaching inner-city neighborhoods, rural areas, and tribal communities. If these communities are to thrive in today's society, where Americans increasingly rely on advanced technologies to carry out a variety of work, business, social, educational, and civic activities, they must have access to those technologies. Incumbents in the ITFS and MMDS band understand this and are interested in providing that access. We cannot over emphasize the capacity of ITFS for bridging the Digital Divide.

The recently authorized uses of the ITFS band hold great promise for improving the quality of teaching and learning delivered through technology. A Commission decision to reallocate spectrum used by educational entities from the 2500-2690 MHz band to a spectrum less suitable for offering high-quality fixed wireless broadband transmissions would be an enormous setback to efforts to provide high-quality technology to our members and the students they serve.

For the reasons cited above, the AFT opposes displacing current incumbents that operate in the 2500-2690 MHz band and urges the FCC to make available other spectra that has been identified for 3G deployment.

Respectfully submitted,



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