

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Amendment of Part 2 of the Commission's Rules) **ET Docket No. 00-258**
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)

To: The Commission

REPLY COMMENTS OF BROWN UNIVERSITY

1. These reply comments are filed by Brown University ("Brown") in response to the Commission's *Notice of Proposed Rule Making and Order* in the above-captioned proceeding, FCC 00-455, released January 5, 2001. Brown is one of the nation's leading universities and is the licensee of Station WHR-971, in the Instructional Television Fixed Service ("ITFS"), operating in the 2500-2690 MHz band on Channels D-1/D-4 at Providence, Rhode Island.

2. The ITFS band is one of the bands being considered for reallocation to third generation ("3G") wireless mobile systems. While Brown recognizes the value of advancements in wireless technology, it does not believe that such advancements should come at the expense of the educational community and educational services. Thus Brown opposes reallocation of the 2500-2690 MHz band for 3G or any other commercially based advanced wireless services.

3. Brown has made a significant effort over the years to derive the greatest educational benefit from its ITFS system. The system is used to distribute medical educational material to hospitals in the Providence area, as well as to distribute other educational content. Brown has also attempted to bring the benefits of commercial technology to its educational activities. Excess capacity has been leased to Worldcom Broadband Solutions, Inc., allowing Brown to take advantage of Worldcom's technology advancements. However, in negotiating both its existing lease and a new lease currently being considered, rather than seeking to maximize revenue, Brown has gone to great lengths to preserve its educational services and to provide for the development of the educational potential of the band.

Brown's plans include providing high-speed Internet access links to faculty and students who do not reside in buildings owned and maintained by the University, making those users as much as part of the University electronic community as on-campus residents.

4. The prospect of combining educational programming distribution with high-speed Internet access and distance learning is exciting to Brown. It will enable the University to enhance significantly its services to both enrolled students and the community at large. To cut off this potential just as it is about to explode would be most disappointing.

5. Educational spectrum users may not have the financial wherewithal to mount the kinds of publicity campaigns that are becoming standard practice for commercial firms vying for access to new spectrum. Nevertheless, institutions like Brown are as or more likely to introduce and provide spectrum-based services with maximum social and public interest value than their commercial counterparts. The Commission has the responsibility to recognize the value inherent in educational licensees and not to allow it to be dissipated by commercial clamor.

6. Brown is an active member of the Association of Telecommunications Professionals in Higher Education ("ACUTA"); indeed a Brown official, Anthony R. Tanzi, is ACUTA's current President. Through ACUTA, Brown is supporting the efforts of the Wireless Educational Broadband Now ("WEB NOW"), a consortium of educational organizations dedicated to preserving ITFS spectrum. Brown concurs with the Comments of the Education Community of the United States filed in this proceeding on February 22, 2001, in which Comments ACUTA was a participating party.

Irwin, Campbell & Tannenwald, P.C.
1730 Rhode Island Ave., N.W., Suite 200
Washington, DC 20036-3101
Tel. 202-728-0400
Fax 202-728-0354

March 9, 2001

Respectfully submitted,

/s/ Peter Tannenwald

Peter Tannenwald

Counsel for Brown University