WESTERN OREGON UNIVERSITY

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Wireless Telecommunications Bureau
Room 3-C220
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: FCC 00-455, ET Docket No. 00-258, RM-9920 and 9911

February 16, 2001

Dear Diane:

I write to you on behalf of *Western Oregon University* to express our concern about a recent Federal Communications Commission (FCC) Proposed Rule Making that will have an immediate and disastrous impact on our ability to meet a growing demand among Oregon students for accessible, flexible educational opportunities. The FCC has issued a Notice of Proposed Rule Making (ET Docket No. 00-258, RM-9920 and 9911) seeking comment on a plan to relinquish Instructional Television Fixed Service (ITFS) channels to cellular phone companies for third generation (3G) mobile telephone services, stripping *Western Oregon University* and thousands of other schools across the nation of a powerful and irreplaceable medium. ITFS is an important part of *Western Oregon University's* goal to share educational resources among schools and to provide distance learning opportunities and workforce training directly to students at home, at work, and at neighborhood learning centers. Moreover, ITFS is absolutely critical if wireless broadband is to become a reality not only for our students but also for our entire community.

School districts, colleges, universities, and other educational organizations across the country hold thousands of ITFS licenses, many of which were issued decades ago. Recent FCC rule changes have expanded the educational power of ITFS from one-way video to interactive video, wireless broadband Internet access and advanced learning services to students and adult learners in classrooms, homes and workplaces. ITFS now offers educational institutions throughout the country an affordable high-speed on-ramp to the Internet, a mission that was recently cited as the first priority for policymakers by the bipartisan Congressional Web-Based Education Commission. In addition, fixed wireless broadband promises to bring a competitor to DSL and cable modem technologies to our community, making broadband access not only more widely available but also more affordable.

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Western Oregon University is at the forefront of advancing the new learning services made possible by recent FCC rule changes and we have invested a great deal of time and resources to develop the ITFS spectrum for educational outreach in Oregon. *Western Oregon University* is an active member of the Oregon Wireless Instructional Network (Oregon WIN), a consortium of nine universities and community colleges that operates a multi-channel ITFS network in Oregon's Willamette Valley capable of serving over 65% of Oregon's population. The consortium operates under an Intergovernmental Agreement, is governed by a seven-member board, and works closely with educational ITFS licensees in Bend and Medford, Oregon (see attached list of Oregon ITFS licensees).

Oregon WIN was formed in 1993 for the purpose of jointly developing the ITFS spectrum in Oregon as a much needed "last mile" network solution. The consortium recently completed a $1.8 million network after spending years filing for ITFS licenses, building the consortium, issuing a national RFP for a commercial partner to develop the spectrum and designing an interconnected, shared network. Oregon WIN operates three ITFS transmission sites in Eugene, Salem and Portland. The sites are linked with multiple, two-way microwave paths, allowing educational providers to serve all three ITFS networks from a single location. Inexpensive ITFS receive antennas are easily installed directly to schools, government offices, businesses and homes. The flexible system allows the delivery of a diverse range of programs including live interactive courses, telecourses, information boards, and cultural events. Oregon WIN members, participating members, and associated institutions offer over 2500 distance learning courses in 65 degree programs (http://oregonone.org) to over 29,000 students per year. The Oregon WIN ITFS network is of growing importance in meeting Oregon's distance education needs. With the imminent rollout of two-way broadband data services over the ITFS spectrum, Oregon WIN will provide the full range of video, data and Internet services critical to quality distance education programs and services provided by Oregon's universities and community colleges.

In addition to meeting important, "last mile" networking needs, ITFS is attractive because system development occurs by partnering with the private sector. Through an excess capacity lease agreement with Sprint Corporation, Oregon WIN members are able to focus their resources on educational programming and services and not on telecommunication infrastructure development and operations. FCC rulings over the past ten years have greatly improved the ability for educators and commercial operators to form successful partnerships in the development of the ITFS spectrum. Working in conjunction with wireless communications companies, ITFS is helping to bring broadband to underserved populations in rural, urban and otherwise isolated communities nationwide. ITFS licensees are therefore serving the educational community as they help the nation bridge the Digital Divide.

If the FCC reallocates any part of the ITFS spectrum for 3G mobile device services, the Oregon WIN partnership and network will collapse. Oregon WIN members would either lose their ITFS service altogether or face new equipment costs, service disruption and signal interference. In addition, Oregon WIN would lose our partnership with the private sector and face the prohibitive costs of re-building and operating the network. The spectrum would no longer be available for advanced wireless broadband services to the educational community and to underserved communities nationwide.

As a result of the critical need in Oregon for "last mile," broadband services and our extensive planning and financial investment in developing the ITFS spectrum for educational outreach, *Western Oregon University* strongly oppose any reallocation of the ITFS spectrum to 3G mobile device services. Reallocation under FCC Notice of Proposed Rule Making (ET Docket No. 00-258, RM-9920 and 9911) is counter to recent FCC rulings which allow educators to fully and effectively develop the spectrum for educational use, and is counter to many local, state and national reports calling for increased access to broadband services to provide educational opportunities to students anywhere, at anytime. If the ITFS spectrum is compromised, these public benefits will be lost. We at *Western Oregon University* hope that you will support us in maintaining the integrity of our spectrum and in keeping this tremendous educational resource alive and well. Thank you for your support.

Sincerely,

Alan B. Heywood

Alan B. Heywood
Director, Instructional Media Services