

00-258

ORIGINAL MISSISSIPPI

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Board of Trustees of State INSTITUTIONS OF HIGHER LEARNING

February 15, 2001

RECEIVED

Michael K. Powell, Chairman
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIDEO SERVICES
DIVISION
FEB 27 3 20 PM '01

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

Dear Chairman Powell,

I am writing on behalf of the Mississippi Board of Trustees of the Institutions of Higher Learning about a matter currently under consideration at the Federal Communications Commission (FCC) that **threatens our ability to use technology to deliver education in Mississippi.**

The Board of Trustees holds nine licenses from the FCC, each for four channels of Instructional Television Fixed Service (ITFS) spectrum. In collaboration with the other ITFS licensees from Mississippi (the Department of Education, the State Board for Community and Junior Colleges and the Authority for Educational Television), plus the Governor's Office and the Attorney General's Office, we formed an organization called EDNET to build and operate a twenty channel statewide network. EDNET is about to complete the construction of the most comprehensive state level ITFS network in the country. EDNET has partnered with WorldCom, creating a self-funded operation requiring no tax dollars. It will have the ability to deliver instructional video programming to schools, government offices, businesses and homes across the entire state. In the future we hope to have the ability to deliver high speed Internet connections to rural as well as urban Mississippi. It is truly a remarkable technology resource in which Mississippi leads the nation.

The Federal Communications Commission Notice of Proposed Rule Making (ET Docket No. 00-258, RM-9920 and 9911) could revoke our ITFS licenses and repurpose the spectrum for use by the cellular telephone industry, thereby stripping Mississippi's educational community of a powerful and irreplaceable medium. Mississippi's educational and economic development goals would be severely damaged if this happens. Our ability as a State to provide adequate technology resources to students will be crippled if the FCC is allowed to take away Mississippi's ITFS spectrum.

Mississippi's ITFS licenses have more complete coverage than any state in the country, while Mississippi has the lowest percentage of households with Internet access. As stated by

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Mississippi Governor Ronnie Musgrove in his recent report "Creating Economic Prosperity for a New Century," our state intends to fully utilize these ITFS licenses to provide available, affordable internet access in rural areas to both small businesses and to homes. ITFS licensees are therefore serving the educational community as they help the nation and the Commission to provide affordable high-speed access to the Internet.

If the Commission reallocates any part of the ITFS spectrum for 3G mobile device services, the capacity, usefulness, and value of ITFS would be significantly diminished. Even if only part of the spectrum is taken away, many educational institutions would lose their ITFS service altogether, while others would face new equipment costs, service disruption and cutbacks, lower quality of service and signal interference. In either scenario, the ITFS community would be incapable of supporting advanced wireless services and promoting the development of broadband services to the educational community and to underserved communities nationwide.

Mississippi now has the right technology, the right applications and the right business model. If the ITFS spectrum is compromised in any way, these public benefits will be lost. We hope that you will support us by maintaining the integrity of the spectrum and in keeping this tremendous educational resource alive and strong.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Nicholson Jr.", with a long horizontal flourish extending to the right.

Carl Nicholson Jr., President

EDNET

Mississippi EDNET Institute

Enhancing Education with Technology

www.msednet.com

Contact Us . . .

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Mississippi EDNET Institute
3825 Ridgewood Road, Box 24
Jackson, MS 39211.

Our internet web site address is
<http://www.msednet.com>.

Who can benefit from EDNET?

All Mississippi citizens particularly students, parents and teachers.

Is your school connected?

Currently many Mississippi K-12 schools have EDNET/Wireless One cable installed. The school equipment, installation, and ongoing monthly cable service is free. To verify whether EDNET has been installed and is available at your institution, go to www.msednet.com/installs.htm and locate your school on the school sites list.

Feedback

To help us better serve you and meet your needs, please visit our web site and complete our cybersurvey.

EDNET e-mailing list

Periodically EDNET will e-mail program information and updates to teachers and administrators. If you would like to be added to our e-mailing list send an e-mail message to ednet@etv.state.ms.us and include in the subject line "add to e-mailing list".

What is EDNET?

EDNET is a group of distance learning channels delivered by Wireless One cable service. In 1990 ETV and other ITFS licensees were authorized by the state legislature to construct a statewide ITFS educational television system. This led to the current agreement between EDNET and Wireless One, a subsidiary of Worldcom. Together EDNET and Wireless One utilize the ITFS spectrum to reach Mississippians in disadvantaged rural areas as well as prosperous urban centers.

EDNET is a non-profit 501(c)(3) corporation funded entirely by lease fees paid by Wireless One. The EDNET Board of Directors is comprised of representatives from each licensee, the Office of the Governor, and the Office of the Attorney General.

What is ITFS?

The Instructional Television Fixed Service (ITFS) is a band of twenty (20) television channels licensed by the FCC to educational institutions.

Who are the ITFS licensees?

Mississippi Authority for Educational Television
Mississippi Department of Education
State Board for Community Colleges
Institutions of Higher Learning
Mississippi EDNET Institute

Mission

EDNET's mission is to promote, encourage and assist all levels of education, research, and economic development throughout Mississippi.

Distance Learning

Everyday EDNET broadcasts a wide variety of educational programs designed for use at home or in the classroom free of charge. . . .

Adult Education

College Credit Telecourses

Continuing Education

K-12 Instructional Programs

Public Information

Staff Development

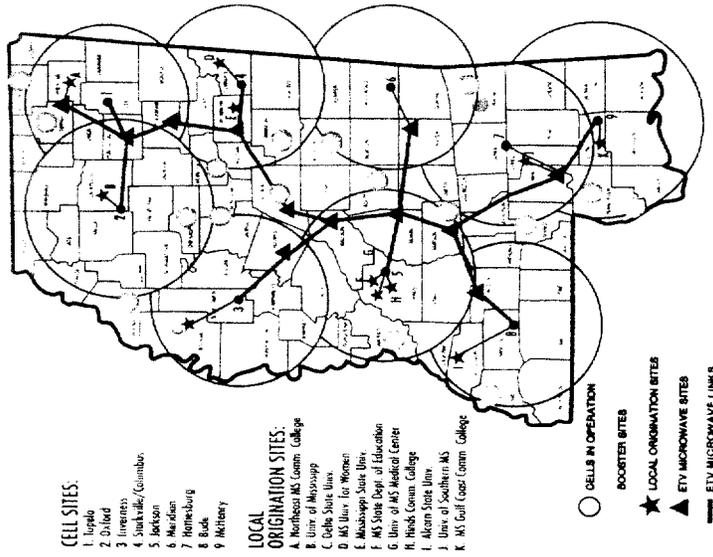
Workforce Training

EDNET will soon expand operations by providing programming statewide.

Local Programs

EDNET is actively working to incorporate distance learning courses and programs from all Mississippi public colleges and universities. In addition eleven local origination sites are under construction around Mississippi. These sites will provide a wealth of academic and local information programs to viewers.

EDNET ITFS NETWORK



Local Origination Sites

Alcorn University
Delta State University
Hinds Community College
Mississippi Department of Education
Mississippi Gulf Coast Community College
Mississippi State University
Mississippi University for Women
Northeast Mississippi Community College
University of Mississippi
University of Mississippi Medical Center
University of Southern Mississippi

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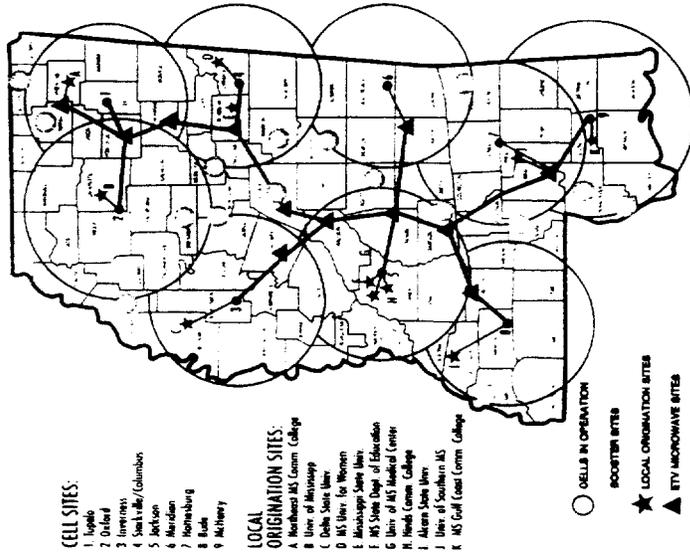
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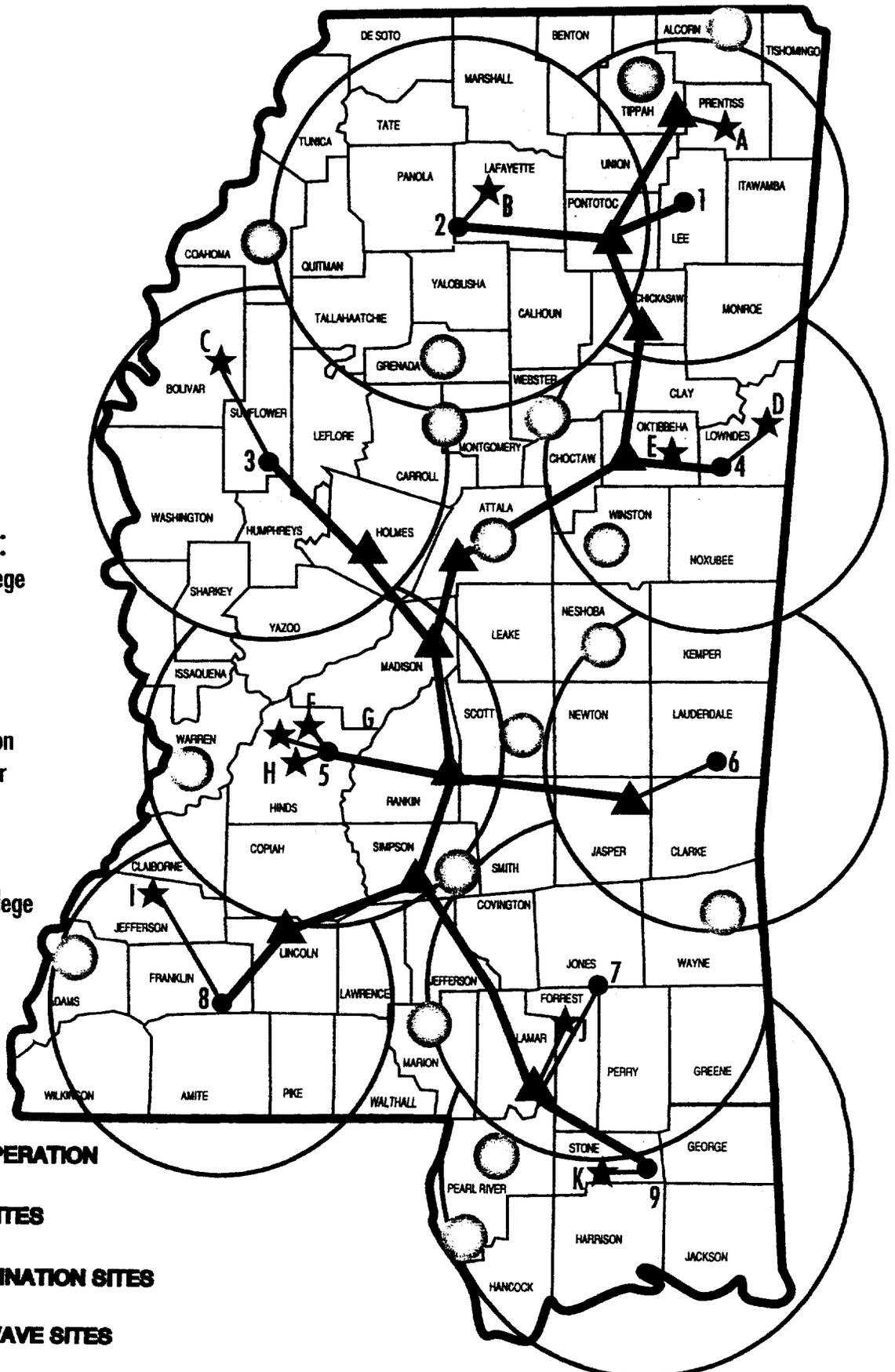
EDNET ITFS NETWORK

CELL SITES:

1. Tupelo
2. Oxford
3. Inverness
4. Starkville/Columbus
5. Jackson
6. Meridian
7. Hattiesburg
8. Bude
9. McHenry

LOCAL ORIGATION SITES:

- A. Northeast MS Comm. College
- B. Univ. of Mississipp
- C. Delta State Univ.
- D. MS Univ. for Women
- E. Mississippi State Univ.
- F. MS State Dept. of Education
- G. Univ. of MS Medical Center
- H. Hinds Comm. College
- I. Alcorn State Univ.
- J. Univ. of Southern MS
- K. MS Gulf Coast Comm. College



- CELLS IN OPERATION
- BOOSTER SITES
- ★ LOCAL ORIGATION SITES
- ▲ ETV MICROWAVE SITES

MISSISSIPPI EDUCATION IS UNDER FIRE

A Valuable Mississippi Education Resource in Serious Jeopardy

The purpose of this paper is to explain a current threat to the school children in the state of Mississippi. The Federal Communications Commission (FCC) has initiated a process at the request of the President that could seize the Instructional Television Fixed Service (ITFS) spectrum away from its current educational users and sell it to commercial telecommunications companies for more cellular telephone service. The now former FCC Chairman William E. Kennard said recently “We must ensure that the tools of the Information Age reach all Americans from the business districts to the barrios; from those with every advantage to those with disabilities; from the young to the old; and from suburban homes to our rural heartland. Only then can we make sure that every American has the opportunity to realize the full potential and prosperity of the New Economy and enjoy the full promise of American life.”¹ Yet if the FCC takes spectrum away from EDNET and its private sector partner WorldCom, it will virtually eliminate rural Mississippians access to high-speed broadband Internet services for the foreseeable future. The FCC will in effect be pulling the plug on Mississippi EDNET, WorldCom, and many millions of dollars they both have invested. It will reduce educational opportunities in rural Mississippi and put a lid on Mississippi’s attempts to rise above its fiftieth place in the digital divide.

What is EDNET

EDNET is the only ITFS network in the United States that covers an entire state and utilizes all the available educational spectrum. The creation of EDNET was authorized in 1990 by the State Legislature of Mississippi for the purpose of promoting, encouraging, and assisting all levels of education, research, and economic development within the Mississippi. Subsequently the Mississippi Department of Education, the State Board for Community Colleges, the Institutions of Higher Learning, Mississippi Educational Television, the Office of the Governor and the Office of the Attorney General combined their individual ITFS licenses to create EDNET. EDNET exists to support the instructional programs of its member agencies and assist state agencies with their missions whenever possible. In partnership with Wireless One, a division of WorldCom, EDNET has been putting the finishing touches on construction of a statewide broadcasting system using the ITFS spectrum.

EDNET provides educational television programming for Mississippi’s pre K-12 and adult education community, twenty-four hours each day. EDNET can provide up to five channels to schools, colleges, extension centers, head start centers, workplaces and other places of learning. EDNET programming also includes public affairs, professional and worker training (such as teachers, fire fighters and public safety officers); and transmission of teleconferences for educational, training and administrative purposes.²

¹ Federal Communications Commission web site – “Chairman Kennard’s Greeting”– <http://www.fcc.gov>

² Additional information concerning EDNET is available at <http://www.msednet.com>

Currently ITFS channels can only be licensed to educational entities. The agency partners have an agreement to pool their collective 20 ITFS channels for management by EDNET. The 20 channels are currently leased to Wireless One, a division of WorldCom. This lease has already produced over \$1,000,000 in revenue. Wireless One then combines EDNET's twenty channels with its own eleven channels to deliver wireless cable service similar to traditional cable television to customers across Mississippi.

What is EDNET's Potential

In September 1998 the FCC ruled that wireless channels, like those currently used by EDNET and WorldCom for television, can now be used to deliver high-speed broadband Internet services. This has significantly increased the market value of EDNET's spectrum licenses and provides an additional way to deliver educational content. WorldCom has announced its intention to convert its MMDS spectrum from television to high speed Internet service. EDNET would like to continue to partner with a company like WorldCom to provide valuable education services. This new service has the potential to help bridge the digital divide by bringing high-speed broadband Internet service to many rural and impoverished areas of Mississippi.

This unique public/private partnership between EDNET and WorldCom allows the state education agencies to better meet their educational missions. It provides resources to help find new, exciting ways to address issues of isolated and underserved students just as WorldCom seeks to meet the needs of isolated and underserved markets for high speed Internet access.

The Threat

On October 13, 2000, the President executed a memorandum that articulated the need to select radio frequency spectrum to satisfy the United States' future needs for 3G mobile voice, high-speed data, and Internet-accessible wireless capability.

The FCC and the NTIA issued a Notice of Proposed Rulemaking (NPR) on January 23, 2001 on spectrum allocation for third generation wireless. Final reports will be issued by the two agencies in March 2001. Identification of spectrum by the FCC in coordination with NTIA will be made by July 2001.

Reallocation of EDNET's spectrum by the FCC would have the following serious negative effects:

- Loss of **broadband Internet service** needed to help bridge the digital divide in rural and impoverished areas of Mississippi.
- Loss of over 5 channels of 24 x 7 **educational programming** delivered directly to schools, colleges, extensions centers and head-start centers around Mississippi.

- Loss of **remedial education programs** for adult education including the GED on TV series which assists students who have dropped out of school and want to obtain their GED
- The loss of EDNET's **distance learning** capability will place Mississippi students at a learning disadvantage compared with other states.
- The loss of the EDNET's ITFS spectrum will completely eliminate a source of badly needed **private sector funding** for education in the State of Mississippi.
- Because Mississippi has the most aggressive implementation of an ITFS network, it will be disproportionately penalized if the spectrum is seized by the FCC.

Alternate option

There are alternate areas of the spectrum that can be used for more cellular telephone service other than ITFS. For example, on November 15, 2000 the Commerce Department released a preliminary study on the availability of spectrum in the 1755-1850 Mhz Band currently controlled by the military. According to Gregory L. Rohde, assistant secretary of commerce for communications and information and NTIA administrator, "This interim report indicates that segmentation and sharing possibilities in the 1755-1850 MHz band. The industry and the federal agencies need to begin exploring these possibilities as well as possible re-allocation options." The report went on to state that sharing of allocated spectrum to accommodate third generation wireless systems with existing federal government users might be feasible, under certain conditions. Assessing the potential of re-allocation within the 1755-1850 MHz band for cellular services was not a subject of the interim report and will be determined in the final report due in March 2001.³

Call for Action

We believe that adequate spectrum for more cellular phones can be identified and allocated, but that we must not handicap ITFS licensees, the educational community, or our fixed wireless operator partners in the 2.5 GHz band. After years of hard work by EDNET, WorldCom and the FCC, we finally have the right rules, the right spectrum and the right partners to enable us to serve students where and when they are ready to learn, to deliver critical broadband service to consumers in underserved rural places and to provide competitive options to consumers elsewhere. These services are critical to education and to our economic future in Mississippi.

Please let the FCC know the devastating impact on Mississippi's education and economic development infrastructure any decision to take away our ITFS spectrum will have. We strongly recommend that the FCC leave the ITFS spectrum intact and instead use 1755-1850 MHz spectrum for new 3G cellular services. You can contact FCC Chairman William Powell several ways: via phone (202) 418-1000, fax (202) 418-2801, his mailing

³ United States Department of Commerce web site - press release "Commerce Dept. Releases Interim Report on Third Generation Wireless Deployment" - November 15, 2000 - <http://www.ntia.doc.gov/>

address is FCC 445 12th St. Southwest, Washington, D.C. 20554, or through the FCC website at <http://www.fcc.gov/>.

For More Information

Please review the "WEB Now" campaign information on National ITFS Association web site at <http://www.itfs.org/>. You may also visit the EDNET web site at <http://www.msednet.com>. Contact EDNET Public Relations Director Bill Marshall via phone (601) 432-6958, e-mail bmarshall@etv.state.ms.us or mailing address Mississippi EDNET Institute 3825 Ridgewood Road, Box 24 Jackson, MS 39211.