



COUNCIL OF CHIEF STATE SCHOOL OFFICERS

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January 29, 2001

Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, SW Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: FCC ET DOCKET 00-258, RM-9920, RM-9911
RULES TO REALLOCATE SPECTRUM FOR ADVANCED WIRELESS SERVICES

Dear Mr. Powell:

This letter is in response to the Commission's Notice of Proposed Rulemaking, released January 5, 2001, concerning the future uses of a significant piece of the electromagnetic spectrum. This Notice, combined with other recent developments associated with the growing commercialization of television and radio broadcasts, is contributing to a growing concern that many of the nation's public broadcasting and nonbroadcasting educational institutions will not benefit from the availability of advanced technologies. In particular, the Council of Chief State School Officers (CCSSO) is alarmed to hear that the Commission may be considering repurposing the spectrum band that traditionally has been reserved for Instructional Television Fixed Service ["ITFS"] for third generation (3G) services. CCSSO would strongly oppose such a proposal.

While recognizing the growing demand for spectrum for mobile high-speed data and Internet-access wireless services, we urge the Commission to appreciate the role ITFS licensees play in delivering critical educational services to schools and community-based organizations across the entire nation. We believe the short-term advantages associated with the stimulation of third generation wireless services should not preclude serious consideration for longer term public and educational interests. If the Commission must reallocate spectrum in order to promote additional commercial advanced wireless services, it should not do so at the expense of incumbent ITFS services.

For several decades, the availability and application of ITFS have served the interests of both public and private institutions at all levels of education. The majority of the 738 public and private schools and systems that hold ITFS licenses are making productive uses of ITFS broadcasts, and many are planning to expand their capacities in a digital environment to extend opportunities for continuing educational services. Nine statewide networks, which offer more than 400 channels, are delivering instructional services in content areas that increasing demand from part-time learners and

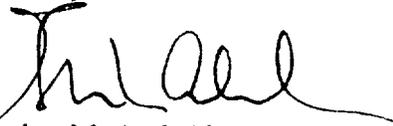
learners in remote locations. These stations are also enabling many local community colleges to provide job training and education services that complement those being offered by public television stations. Most licensees are planning to expand the delivery of video programming as advanced digital processing equipment becomes available at their institutions, in community-based centers and in individual households. Many ITFS licensees are well positioned to provide their local schools with high speed Internet connection in both analog and two-way digital.

It would seem that at a time when many states and local educational agencies are planning to expand their capacity to offer televised distance learning services, the Commission should be particularly mindful of the important role ITFS and other wireless services can play in strengthening public and private educational services, especially those that can originate in local communities that may not have access to quality educational programming via cable television or broadband Internet access. We believe that favorable treatment on the part of the Commission and modest investments in ITFS technologies will dramatically accelerate affordable access to high-speed digital services to underserved areas that will not otherwise receive the benefits of advanced services.

Changing or eliminating the capacity of state, local and private educational agencies to exploit the full potential of ITFS does not seem to be in the public interest. Many ITFS licensees are already involved in collaborative arrangements with commercial partners. Continued encouragement of flexible cooperative arrangements between public licensees and private companies should continue to be the preferred regulatory strategy.

Finally, a repurposing of the ITFS spectrum would seriously undercut the President's commitment to "leave no child behind." ITFS is a key component of our education infrastructure for thousands of districts in all 50 states and needs to be promoted and supported.

Sincerely,

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

Gordon M. Ambach
Executive Director

Copies of the foregoing letter have been sent via messenger and/or first-class mail to the parties below:

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PAMLICO COMMUNITY COLLEGE

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February 13, 2001

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WORLD FURCHTGOTT-ROTH

Bryan Tramont
Legal Counsel
Office of Commissioner Harlod Furchtgott-Roth
Federal Communications Comm
445 12th Street SW
Washington DC 20554

EX PARTE OR LATE FILED

Re: **"Opposition to 3-G Raid on Education Initiative with ITFS Frequencies"**

Dear Senator Faircloth:

We need your help! Over five years ago, Pamlico Community College became one of the charter members of a shared vision. ***"To have a statewide wireless network that would provide broadband two-way connectivity."*** Throughout the five years a wonderful thing has happened. The individual college efforts and strong leadership of the North Carolina Community College System and Wireless One of North Carolina have evolved into The NCCCS Wireless Technology Consortium. However, our efforts have not met without opposition by outside forces. On many occasions the "winds of opposition have tried to dump the wind from our sails" but we haven't capsized yet! This is **why we need your help!**

We are faced once again with a threat to sink a statewide collaboration and shared strategic initiative to provide state-of-the-art technology for educational life-long- learning for rural communities like Pamlico County and the State of North Carolina as a whole. Mobile/handheld devices referred to as 3G are a product that commercial vendors are trying to appeal to FCC to give them the very ITFS frequencies and bandwidth that we so badly need to better serve our students and citizens of Pamlico County. All the countless hours WONC, NCCCS leadership and participating colleges have spent in preparing license applications, locating transmitters, resolving the mutually exclusive application, solving interference problems or securing joint collaborative agreements without objection. Some of the community colleges have put their applications on hold in an effort to support the NCCCS Wireless Technology Consortium. We need to KEEP the MMDS and ITFS channels, as this is the backbone to streamline the technical network strategy for regional sharing of resources and to *"bridge the digital divide."*

North Carolina is so fortunate to have great leadership in the formation of the statewide consortium aimed at creating the seamless web of lifelong learning. Public schools, community colleges and public universities have a great deal of local autonomy, which allows them to respond to the needs of their communities. Although this approach is problematic, the end results are far reaching in an effort to expand the state-of-the art technology to the business of educating our children and adults.

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The ITFS is just the next step in closing the digital divide. North Carolina is made up of twelve television markets and eight secondary markets which include rural areas like Pamlico County, which is still struggling in an uncertain economic base to be a part of the wonderful benefits the wireless technology can bring to our community and lifelong learning efforts. If we lose any of the conjoined MMDS and ITFS channels all the work we have put into this project over the last five years will be lost. So many goals and objectives of the educational community would have been in vain. We have a commercial partner willing to work with us as they know how valuable the ITFS channels are and are eager to be a part of the project since they will also benefit.

We have demonstrated over five years how working together has provided the Wireless Technology Consortium project with solidarity and enthusiasm. We just can't lose the MMDS and ITFS bandwidth. All the work with the public schools, community colleges, the public universities and our commercial partner will have been in vain. Our vision to provide our community with the technology resources so many other areas of the state enjoy will indeed sink into the deepest holes of the ocean.

Pamlico Community College has a local vision on how we can utilize the wireless technology:

Services we can provide:

- Electronic mail for on-campus, off-campus, and web-based information access.
- "Ask the Librarian" and connect with all agencies in the county.
- "Talk to a Counselor" for students services.
- Video audio content and videoconferencing for "real time" instruction.
- High-resolution video.
- Inter-campus connectivity and inter-campus voice over IP.
- Connectivity for the "new" Pamlico Community College Bayboro Center where Huskins/dual enrollment classes are being offered.
- Interactive video and video classes using for information highway.

Applications we can use with the wireless technology:

Curriculum courses and Continuing Education courses
High School Huskins/dual enrollment
Transfer degree programs with universities
Professional staff development
Administrative procedures through computerized work form cutting costs.
Government, including corrections, health care, emergency management training.
Teacher certification training.

You can help us to fight the raid on the educational strategy to "*bridge the digital divide*" with ITFS wireless technology by "taking the wind of the 3-G threat and not allow them to raid this very valuable ITFS bandwidth from education providers.

Respectfully,



Dr. Marion Altman, President



RCCC

Rowan-Cabarrus Community College

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James

February 16, 2001

EX PARTE OR LATE FILED

Mr. Bryan Tramont, Legal Counsel
Office of Commissioner Harold Furchtgott-Roth
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Mr. Tramont:

I am writing you today to express my deep concern over the current move by representatives from the 3-G industry (third generation of mobile/handheld devices) to take over the broadband spectrum tentatively designated for the ITFS consortium of North Carolina community colleges. Rowan-Cabarrus Community College is one of 39 community colleges in the state committed to the ITFS project, a vision of a statewide wireless educational network that will have the capability to reach rural populations and others who would not otherwise have access to the opportunities that lifelong learning can provide for them. In a cooperative partnership with public schools and public universities, the community colleges have formed a consortium that will provide a seamless web of lifelong learning to the public, while at the same time preserving the autonomy of each entity to enable them to address the unique needs of their local population.

Thousands of man-hours and millions of dollars have been invested by the community colleges and their partner, WONC, over the last five years, to transform this vision into a reality for the citizens of North Carolina. The partnership with WONC is unique in that WONC is half-owned by CT Communications, based in Concord, NC. CT Communications, as a local and statewide provider of telecommunications services, is thoroughly familiar with the state's service area and has proven efficient in providing services to rural areas with a low population base, while still turning a profit. In addition, CT Communications has an established commitment to education, and has been a staunch supporter of our own community college. CT Communications has sponsored and

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funded a small business counseling and educational center on our campus in Cabarrus County and provided us with technical equipment, advice, and expertise. WorldCom, the other half-owner of WONC, brings to the partnership access for the community colleges to the WorldCom Foundation, with a revenue stream that will provide for hardware upgrades, and a scale of operations that can provide for greatly reduced cost of services to their educational partners. This valuable partnership, which forms the basis of the consortium, therefore brings benefits that could not be duplicated if consideration was given to an alternate proposal by 3-G members to provide services to us in exchange for reallocation of the bandwidth.

Little recognition nationwide has been given to the terrific strain technological change has placed on public educational institutions, their resources, and their ability to provide valuable services. Reallocation of any of the MMDS or ITFS bandwidth to commercial use for 3-G providers will significantly damage, perhaps permanently, the ability of North Carolina educators to provide this valuable educational resource to the state and its citizens. While 3-G providers could be accommodated through other frequencies, the same cannot be said for the ITFS consortium. Transfer of the ITFS allocation to other frequencies will result in higher equipment costs due to the requirement of higher-powered transmitters, costs public institutions can ill afford to absorb. Further, the effective provision of lifelong learning opportunities necessitates access not just to educational sites, but also to businesses, industries, and homes. The currently allocated bandwidth is thus the optimum frequency allocation for this educational consortium.

The ITFS project, as it is currently envisioned, and the allocation of the bandwidth to the ITFS consortium, will enable Rowan-Cabarrus Community College to expand tremendously its educational offerings through the use of wireless technology. In terms of curriculum courses, the ITFS bandwidth will give RCCC the capacity to more than double its course offerings and degree and certificate programs. In addition, RCCC currently offers 44 classes to the general public which are classified as continuing education courses. With the MIDI/ITFS bandwidth, RCCC currently has plans to expand its offerings in this area to more than 100 classes. Furthermore, the ITFS project will be instrumental in assisting our college to broaden its offerings in the areas of university degree completion programs, and Huskins/dual enrollment classes, one of our active partnerships with high schools in two North Carolina counties.

The ITFS consortium represents a rare opportunity for an educational system to take a quantum leap in the implementation of technology. Public education is at a great disadvantage, compared to private institutions and commercial providers, when attempting to keep pace with rapid changes in technology. I urge you to step forward and

support the future of education in North Carolina by holding steadfast to the original plan to allocate this bandwidth to the ITFS consortium.

Sincerely,



R. L. Brownell
President

dsp

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