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COUNCIL OF CHIEF STATE SCHOOL OFFICERS

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January 29, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

RE: FCC ET DOCKET 00-258/ARM-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 public learners and

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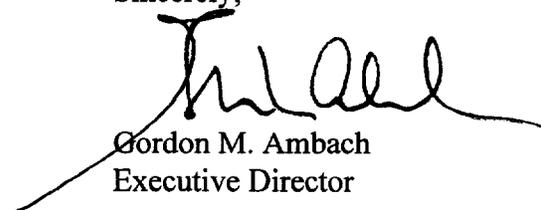
learners in remote locations. These stations are also enabling many local community colleges to provide job training and education services that complement those being offered by public television stations. Most licensees are planning to expand the delivery of video programming as advanced digital processing 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 left.

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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