



JEB BUSH
GOVERNOR

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of:

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Staff Final Report on "Spectrum Study)
Of 2500-2690 MHz Band: The)
Potential for Accommodating Third)
Generation Mobile Systems")

ET Docket No. 00-258

To the Commission:

**COMMENTS OF THE GOVERNOR AND THE COMMISSIONER OF EDUCATION OF
THE STATE OF FLORIDA**

Office of the Governor
Office of the Commissioner of Education
The Capitol
Tallahassee, FL 32399

Governor Jeb Bush and Commissioner Charlie Crist hereby file these comments on April 16, 2001 in support of the findings of the Federal Communications Commission staff in their Final Report dated March 30, 2001.

Dear Commissioners:

As a state, Florida has a commitment to the integration of technology into our educational framework for the purpose of improving education. Our ITFS allocations are among the best utilized in the country and reach every facet of our population. The loss of any portion of this asset, or a forced relocation, would be detrimental to programs established over the past three decades. Economically, many of our school districts, community colleges and universities might never be able to make the infrastructure changes required by reallocation. In either case, services would be disrupted and all education efforts in Florida would be negatively impacted.

In reviewing the Final Report, we are in agreement with the staff, particularly in the findings that:

- "Segmenting the 2500-2690 MHz band ...would raise significant technical and economic difficulties for the incumbents, especially if all ITFS/MDS operations were to be relocated within the band."
- "...segmentation could affect the economics of current and planned ITFS and MDS systems and lessen their ability to provide service to rural areas or smaller markets."

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- "Implementation of either the segmentation or relocation options would significantly affect deployment of and impose considerable costs on ITFS/MDS. ... Either option would require considerable time to implement and significant costs to re-engineer and deploy systems; and the delivery of fixed wireless broadband services to the public and educational users would be delayed or, in rural areas or smaller markets, may never be realized."

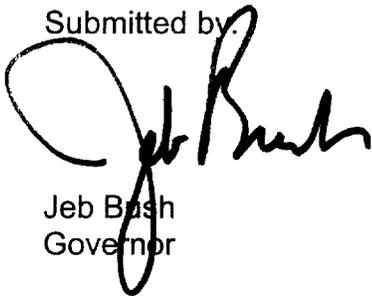
While we certainly recognize the need of the private sector to use bandwidth in its pursuit of telecommunications goals, we strongly disagree that it should be done at the expense of established and highly beneficial educational programs. Our understanding of the proposed 3G usage of this spectrum is that there remain serious doubts as to the viability of the technology itself.

In response to an argument that educational entities are not making the best use of the spectrum, we submit that licensees, both in Florida and in other states, are upgrading to digital operations and adding high-speed internet access through their spectrum allocations as quickly as funding allows. Since other bandwidth can be identified for use by the mobile telecommunications industry, we submit that they should be assigned other portions of the spectrum and adapt their developing technology accordingly, rather than cause an upheaval to the education community. As for the best use argument, what better use could there be than to offer educational services to our children and our aspiring and existing workforce?

Enclosed with this document are additional letters from others in the educational community of Florida.

In closing, we urge you to allow the educational community to continue using its existing bandwidth allocation, without any segmentation or reallocation.

Submitted by:



Jeb Bush
Governor



Charlie Crist
Commissioner of Education

Enclosures



FADSS

Florida Association of
District School Superintendents

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**SUPERINTENDENT
DEVELOPMENT**

**FLORIDA ACADEMY FOR
SCHOOL EXECUTIVES**

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Florida Association of District School Superintendents

April 13, 2001

Federal Communications Commission
Washington, D.C.

Dear Commissioners:

Education reform and improvement of student achievement are top priorities of superintendents in Florida. Therefore, the Florida Association of District School Superintendents (FADSS), representing all school district superintendents in Florida, strongly supports the final findings and staff recommendations [ET Docket No. 00-258] to retain the use of the 2500-2690 MHz bandwidth for public education.

FADSS recognizes the difficulty and magnitude of your decision on this matter. Private sector use of this bandwidth may improve telecommunications in parts of the nation and may be a source of government revenue. We understand the importance of both factors. However, you are faced with balancing these short term benefits against the long term implications of instructional support for schools and communities. Decisions on this scale are never easy and we appreciate the depth of your deliberations and study.

As school districts in Florida strive for improved and equitable instruction in a time of accelerated teacher shortages in critical areas such as science, mathematics and foreign languages, school districts rely more and more heavily on technology. As funds become available, school districts are upgrading equipment, adding high-speed Internet access and upgrading or adding instructional programs through their spectrum allocations. Providing educational services to young people and adults is the most appropriate use of this bandwidth. The FCC agreed with that concept in the past when this bandwidth was licensed to educational institutions and the staff recommendations reaffirmed this fact. Therefore, history and the latest final findings show that it is in the best public interest to maintain this bandwidth for education. To serve the public interest, the FCC has withstood pressures in the past and we urge a continuation of that trend.

In closing, FADSS strongly supports the continued use of the existing bandwidth allocation as recommended in the final findings and recommendations [ET Docket No. 00-258] for public schools.

Sincerely,

Thomas E. Weightman
Chief Executive Officer



FLORIDA SCHOOL BOARDS ASSOCIATION, INC.

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District No. 24
JANICE MEE
Sarasota

April 11, 2001

Reference: ET Docket No. 00-258

The Florida School Boards Association wholeheartedly supports the final findings and staff recommendations [ET Docket No. 00-258] to retain, for the use of public education, the 2500-2690 MHz bandwidth. Florida has numerous public educational institutions licensed to use this portion of the spectrum and have made significant investments toward continuing and expanding programming over it. Education facilities in Florida deliver educational curricula to a significant population and loss of this bandwidth would be detrimental in continuing this programming.

In fact, losing full licensing and usage of that bandwidth would mean that our ongoing programs would suffer an unrecoverable set-back in many areas of the state. The costs of purchasing equipment to move to another part of the spectrum would be so prohibitive that most of the programming, indeed all in some areas of our state, would be terminated.

We agree with the final findings that allocation of bandwidth to third generation mobile systems should be from another part of the spectrum. Taking 2500-2690 MHz from Public Education and allocating it for the private sector communications industry seems to be a less than optimal usage for that bandwidth.

Sincerely,

Jane Gallucci
President

Wayne Blanton
Executive Director

JG/WB/jan

FLORIDA COMMUNITY COLLEGE SYSTEM

PUTTING MINDS TO WORK

J. David Armstrong, Jr.
Executive Director
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April 12, 2001

Federal Communications Commission
Office of the Secretary
1919 M Street, NW
Room 2222
Washington, DC 20554

Subject: Docket Number 00-258

Dear Commissioners:

On behalf of the Florida's 28 community colleges, I would like to commend the Federal Communications Commission for their work on the recently released Final Spectrum Report on Instructional Television Fixed Services (ITFS) Systems. The report reviews the feasibility of re-purposing the 2.5 GHz spectrum for Third Generation or 3G services, which is currently being used by educational institutions for a broad range of distance learning applications. The report confirms that the burden of shifting to an alternative spectrum would be significant to incumbent educational users and would carry a huge cost, both educationally and financially.

The report correctly emphasizes the importance of ITFS systems to the increased offering of distance learning programs and as a critical bridge across the Digital Divide that we all face. Currently, 15 of our 28 community colleges are actively using ITFS systems. With over 750,000 students enrolled in our colleges, the number of instructional centers reached and students served far exceeds the actual number of license holders and their immediate student population. As technology becomes an increasingly integral part of the classroom, it's essential that this spectrum be available for our colleges. If this spectrum is moved to make room for the wireless telephone industry, the public-private partnerships that have resulted in instructional innovation, increased access for our citizens and revenue to support educational programs and services will be seriously jeopardized.

The Florida Community College System fully supports the findings contained in the Final Spectrum Report on Instructional Television Fixed Services (ITFS) Systems to the Federal Communications Commission, which establishes the need to allow the educational community to continue using the 2,500-2,690 GHz Spectrum.

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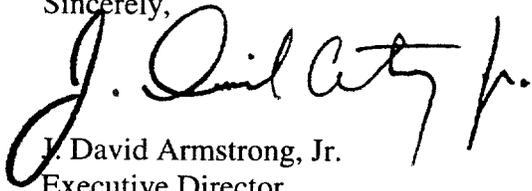
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We agree that any allocation given to Third Generation (3G) Mobile Systems should not be done at the expense of the education community which has used ITFS to provide valuable education and economic development services to the public in an efficient and effective manner.

Thank you for your consideration to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "J. David Armstrong, Jr.", written in a cursive style.

J. David Armstrong, Jr.
Executive Director

JDA/sml



STATE UNIVERSITY SYSTEM OF FLORIDA
325 West Gaines Street, Tallahassee, Florida 32399-1950

April 12, 2001

Federal Communications Commission
Office of the Secretary
1919 M Street, NW
Room 222
Washington, DC 20554

RE: Docket No. 00-258

Dear Commissioners:

On behalf of the Florida's ten state universities, I am taking this opportunity to comment to the Federal Communications Commission on the recently released Final Spectrum Report on Instructional Television Fixed Services (ITFS) Systems. The Commission's report reviews the feasibility of re-purposing the 2.5 GHz spectrum for third generation (3G) services, which are currently being used by educational institutions for distance learning applications, and confirms that the burden of shifting to an alternative spectrum would carry a large cost for those institutions.

The report recognizes the importance of ITFS systems to the increased offering of distance learning programs. Currently, four of Florida's state universities are actively using ITFS systems. The State University System of Florida serves over 235,000 students, and as technology becomes an increasingly important part of the educational delivery system, it is essential that the spectrum remain available for the public universities in this state. If the spectrum is moved to make room for the wireless communications industry, damage could result to the partnerships which the universities have formed with the private sector, as well as to the increased access to education for Florida's citizens.

AN EQUAL ACCESS/OPPORTUNITY—AFFIRMATIVE ACTION SYSTEM

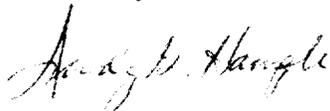
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Pensacola Orlando Miami Jacksonville Ft. Myers

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The State University System of Florida supports the findings contained in the Final Spectrum Report on Instructional Television Fixed Services (ITFS) Systems to the Federal Communications Commission, which establishes the need to allow the educational community to continue using the 2500-2690 GHz spectrum. Any allocation given to third generation mobile systems should not be done at the expense of the educational community, which has used ITFS to provide valuable education and economic development services to the public.

Sincerely,

A handwritten signature in cursive script, appearing to read "Judy G. Hample".

Judy G. Hample
Chancellor

JGH/B/gag