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COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE BUDGET

OFFICES:
2162 RAYBURN BUILDING
WASHINGTON, DC 20515
(202) 225-1784
16 E. ROWAN STREET
SUITE 525
RALEIGH, NC 27609
(919) 789-8771
1777 FORDHAM BLVD.
SUITE 202
CHAPEL HILL, NC 27514
(919) 967-7924
315 E. CHAPEL HILL STREET
SUITE 202
DURHAM, NC 27701
(919) 688-3004

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

August 29, 2001

The Honorable Michael K. Powell, Chairman
Federal Communications Commission
1919 M Street, N.W. Room 814
Washington, DC 20554-0001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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Dear Chairman Powell:

I am writing on behalf of one of my constituents, Mr. Paul C. Ridgeway, to express concern about a petition to transfer a portion of the Instruction Television Fixed Services (ITFS) spectrum for use by third generation cell phone providers.

I share Mr. Ridgeway's concern that transferring part of the ITFS spectrum away from its current educational uses would have a substantial negative impact on teacher training and classroom instruction, particularly in rural areas. In addition, it could limit the ability of current ITFS licensees to provide access to high speed broadband Internet and video services to educational institutions and others in these areas. I am enclosing a copy of Mr. Ridgeway's letter to me for your information.

Thank you for your time and attention to these concerns.

Sincerely,

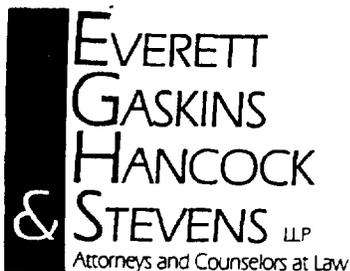
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Enclosure

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Paul C. Ridgeway, Partner
paul@eghs.com

May 25, 2001

Congressman David Price
United States House of Representatives
2162 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Price:

I am a member of the Commission of North Carolina's newly formed Rural Internet Access Authority ("RIAA"). The North Carolina General Assembly created the RIAA to ensure that, within a very short time, each citizen of North Carolina be able to obtain broadband Internet access at a price comparable to urban areas. I write you in my capacity as a concerned citizen about a matter that has come to my attention in my duties for the RIAA: the ITFS (Instructional Television Fixed Services) spectrum. Specifically, I ask you to support the rural communities and educators in North Carolina as the Federal Communications Commission considers reallocating portions of the digital spectrum to accommodate wireless cellular phone providers.

ITFS is a distance learning technology that has provided teacher training and classroom instruction to millions of students across the United States for more than 35 years. ITFS licensees serve thousands of public and parochial schools, colleges and universities, providing greater access to professional development, more efficient delivery of curriculum, and various other educational opportunities. In our community, the North Carolina Community Colleges are actively involved in utilizing ITFS technologies.

Additionally, and critical to the success of initiatives such as those of the RIAA, the ITFS networks are a bridge across the digital divide. ITFS licensees - in conjunction with their commercial partners - are upgrading their systems to provide two-way, high speed broadband Internet and video access to educational institutions, homes, and small businesses. This development promises affordable high-speed access for thousands of underserved communities, such as many parts of rural North Carolina, that have been bypassed by DSL and cable modem services.

These benefits notwithstanding, the future of ITFS has been called into doubt. Third generation cell phone services (also known as 3G) providers want additional spectrum for new mobile phone services. The ITFS spectrum has been targeted as a possible

EVERETT, GASKINS, HANCOCK & STEVENS, LLP

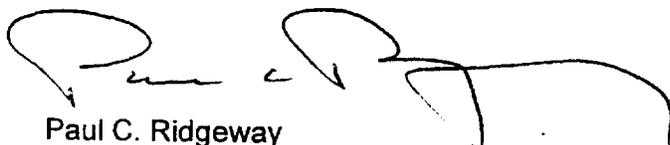
choice, with 3G cell phone services providers formally petitioning the FCC to relocate ITFS licensees in order to accommodate them.

In an attempt to address this controversy, the FCC began a proceeding in early January to determine whether the ITFS spectrum should be reallocated in whole or in part to 3G services. Educators have been actively participating in this proceeding, letting the FCC know that the ITFS spectrum is a valuable educational asset that must be preserved and expanded to serve the needs of twenty-first century learning.

On March 30, 2001, the FCC issued a Report on Instructional Fixed Television Services, which supports many of the arguments made by educational institutions. Specifically, the FCC noted that spectrum reallocation in the ITFS band would disrupt distance learning services, be extremely difficult if not impossible from a technical perspective, and carry heavy financial costs for the educational institutions involved. Finally, the report suggested that relocation, by slowing ITFS deployment of broadband services, would hamper existing efforts to extend digital opportunities.

Given the demonstrated benefits of ITFS and the FCC's findings, and the great future prospects for ITFS for North Carolina's rural communities, I urge you to directly urge the FCC not to relocate any part of the ITFS spectrum.

Very truly yours,



Paul C. Ridgeway

PCR/kg