

September 8, 2003

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

In re: WT Docket No. 03-66, Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands

Dear Ms. Dortch:

These comments are being submitted on behalf of the Diocese of Brooklyn ("Diocese") in response to two questions posed in the Notice of Proposed Rulemaking ("NPRM") in the above-referenced proceeding. First, paragraph 54 of the NPRM asks for comment on the new bandplan proposed jointly by the Wireless Communications Association International, the National ITFS Association and the Catholic Television Network (the "MDS/ITFS Coalition"). The Diocese fully supports the bandplan proposed by the MDS/ITFS Coalition. The bandplan was the result of extensive study, deliberation, and analysis. The Diocese believes that the MDS/ITFS Coalition bandplan will satisfy nearly everyone's goals while continuing to provide for high power services that have made the use of ITFS such an important educational tool.

The second issue the Diocese wishes to address is the proposal in paragraph 55 of the NPRM to adopt an across-the-board reduction in signal strength in the MDS/ITFS band. On a related issue, paragraph 57 asks ITFS licensees to describe their current ITFS operations, their future plans for use of ITFS spectrum, and the extent to which an across-the-board power reduction, if adopted, would disrupt existing high-power operations. For the reasons discussed below, the Diocese is opposed to an across-the-board power reduction in the MDS/ITFS band because it would jeopardize the important services offered by the Diocese through its affiliate, Trans Video Communications, Inc.

The Diocese is one of largest dioceses in the United States serving approximately four million people. As Director of Pastoral Communications, I have the responsibility of supporting through television communication systems and information technology the educational, medical, and religious needs of this concentrated and diverse population in Brooklyn and Queens, New York.

The Diocese started using ITFS channels in 1965, when a distance education network was constructed to expand the reach and improve the quality of interactions between the Diocese and the people it serves. In addition to our instructional service, the community outreach programming provided by our ITFS network over the years has been

instrumental in assisting potentially suicidal persons, people facing eviction from their homes, people with family and other personal problems, and those seeking spiritual growth.

Today, the Diocese's ITFS channels are used to educate 70,000 children and young adults who attend Catholic schools in Brooklyn and Queens. Two of the Diocese's channels are used full-time during the day to deliver educational and instructional programming to 250 schools, parishes, agencies, and other institutions. An additional channel is used to transmit on-demand instructional television to students, teacher training programs, and medical training to thirteen area hospitals and nursing homes. These medical training programs are needed to maintain certification for doctors and nurses.

The Diocese's ITFS system is also used by many other agencies of the Diocese that offer educational services. For example, Catholic Charities broadcasts a half-hour program each month to explain the assistance available to members of the community. The programs offered focus on subjects of importance to immigrants, caregivers, Alzheimer patients and others. Viewers call in on-air with questions regarding their needs. Another example, our hospital system broadcasts a monthly, hour-long, live and interactive program, "Ask the Doctor", which provides professional health information to viewers.

There is a price for all of the Diocese's work. It costs approximately \$1.25 million each year to maintain and operate the Diocese's ITFS system and to develop the necessary programming for its students and the community. Fortunately, the Diocese has been able to forge unique strategic alliances with commercial partners to defray these costs. The most significant of these alliances has been with WorldCom. WorldCom leases a portion of the Diocese's ITFS channel capacity (only 57% of the Diocese's capacity is leased during the school year). In return, WorldCom pays the Diocese specified monthly fees. WorldCom (or its successor) also will provide important technical and operational services to the Diocese in connection with its ITFS system.

While the Diocese has made significant use of its ITFS channels, what is of crucial importance now is the conversion of its system to a more advanced digital system that will accommodate both traditional one-way video from high-power transmitters and two-way, interactive learning experience provided via wireless high-speed Internet access. Only through a combination of technologies can we adequately serve students. This is particularly important in the tuition-based Catholic school system where the Diocese has been forced to close over 50 schools, in part, because those schools could not continue providing a quality education at a reasonable cost.

The Diocese would be very concerned with adoption of any proposal that would require all licensees in the MDS/ITFS band to reduce their power so that the entire band could be used for low power cellularized services. It would not be practical or economically feasible for the Diocese to convert its existing high site, high power video operations to cellular network technology.

**Thank you for your consideration of these comments.**

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michael J. Dempsey".

**Monsignor Michael J. Dempsey  
Director of Pastoral Communications  
Diocese of Brooklyn**