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Technology Professionals in Higher Education
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May 26, 2004

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

RE: WT Docket No. 03-66

On behalf of ACUTA, the Association for Communications Technology Professionals in Higher Education, I am writing to express serious concerns regarding proposed changes to the Commission's rules regarding ITFS spectrum.

ACUTA, an association of over 780 colleges and universities including many ITFS licensees, is opposed to any rule changes which would allow commercial ownership of spectrum previously dedicated to educational purposes.

We understand that a proposal from the Wireless Bureau is being circulated for rushed FCC consideration that would eliminate the eligibility restrictions on ITFS spectrum, and would reduce the amount of spectrum held by each ITFS licensee in order to accommodate new commercial users in the band. This proposal is seriously flawed.

ACUTA supports the continued availability of ITFS spectrum in the 2.5 GHz band for educational purposes. Any change in the rules that would permit the transfer of this valuable spectrum to commercial entities would open the door to commercial enterprises slowly acquiring more and more of these educational licenses that Congress has specifically stated were intended for educational purposes in the public interest.

In addition, reducing the size of each channel would seriously limit the feasibility of conversion of analog ITFS systems into digital, wireless broadband networks. This would seriously hamper our ability to develop advanced technologies for educational outreach to rural and other traditionally underserved populations, and to a student base that is increasingly relying upon distance learning as an important method of obtaining a college education.

ITFS is the only spectrum specifically allocated to support formal education. This vital educational asset must be protected, as the FCC promised to do just three years ago. As the FCC updates the technical rules for ITFS to more effectively support a range of new broadband services, **we urge you to reject proposals to allow any ITFS spectrum to be licensed to commercial entities, or to reduce in any respect the total amount of spectrum allocated to ITFS.**

If necessary, we ask you to delay consideration of the proposal to a later meeting, so that our concerns can be heard.

The possibilities for future development of educational services in the ITFS band are exciting, and the higher education community is developing innovative methods of using ITFS spectrum to help meet the needs of current and future students. I hope that you will support our efforts to keep this valuable educational resource available to the students of today and tomorrow, and that you will refrain from any action that would negate the public interest benefits that it can offer.

Thank you for your consideration of this important matter.

Sincerely,

Walter Czerniak
President
ACUTA: The Association for Communications Technology Professionals in Higher
Education

cc: Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Kevin J. Martin
Commissioner Jonathan S. Adelstein