



May 25 2004

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

RE: WT Docket No. 03-66

South Carolina ETV and our State Department of Education are one of the largest users of Instructional Television Fixed Service (“ITFS”) in the nation, and we’re looking forward to transitioning these channels into the digital world. Each year, ETV utilizes 68 licensed ITFS channels to transmit nearly 100,000 instructional and professional development programs to over 450,000 students and 40,000 educators in our K-12 schools. The advent of wireless internet technologies and the prospect of band plan and rule changes requested by the ITFS community promises new digital educational services that could deliver wireless broadband service to our K-12 students and the rural community.

We understand that a proposal from the Wireless Bureau is being circulated for 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.

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 misguided 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, you must delay consideration of the proposal to a later meeting, so that our concerns can be heard.

We are excited with the potentials of ITFS moving to digital, and are seeking leasing partners to pay for the expensive transition. However, like many states, we are experiencing budget shortfalls. We believe the FCC plans as proposed would push potential private partners to hold out and buy instead of lease. As you well know, management of spectrum makes it hard to predict how much spectrum and what kind of technology can best meet the need of the user. We do not want to be forced to sell a valuable resource in order to fulfill short-term budget needs, but to finance our evolving transition to digital opportunities by leasing our excess capacity. This gives us the option to redistribute the excess spectrum allocations where it’s needed the most.

The possibilities for future development of educational services in the ITFS band are exciting, and we plan to use the spectrum fully in the years ahead. I hope that you will support our efforts to keep this valuable educational resource. Thank you for your consideration of this important matter.

Sincerely,

Moss Besnahan  
President of South Carolina ETV

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