

May 28, 2004

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

RE: WT Docket No. 03-66 – Ex Parte Presentation

For 33 years UNITE Instructional Television at the University of Minnesota has and continues to use Instructional Television Fixed Service (“ITFS”) channels in the 2.5 GHz band to transmit graduate and undergraduate engineering programming to engineering and science professionals at industrial sites across the Minneapolis-St. Paul and Rochester, Minnesota areas. Of the over 250 professionals per semester registered through UNITE, approximately 25 per year receive their Master’s degree. The advent of new technologies and the prospect of band plan and rule changes requested by the ITFS community promise new digital educational services that will enhance our service to students and the community.

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.

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.

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,

Robert H. Bruininks
President

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