



December 11, 2013

The Honorable Greg Walden
U.S. House of Representatives
2182 Rayburn House Office Building
Washington, DC 20515

The Honorable Anna Eshoo
U.S. House of Representatives
241 Cannon House Office Building
Washington, DC 20515

Dear Chairman Walden and Ranking Member Eshoo:

The Telecommunications Industry Association (TIA), the leading trade association for global manufacturers, vendors, and suppliers of information and communications technology, wishes to thank you for holding an FCC oversight hearing this week. As the House Subcommittee on Communications and Technology prepares to receive testimony from the FCC commissioners, we urge you to focus on the following issues:

Voluntary Incentive Auctions

TIA appreciates Chairman Wheeler's recent announcement that the FCC will move forward with the voluntary incentive auction of television broadcast spectrum by mid-2015. As it implements the auctions, the FCC should maximize the amount of spectrum available for licensed mobile services, and simplify the reverse auction rules to attract the greatest possible number of broadcast participants. The eligibility of participants in the forward auction should not be limited, and the rules should provide for the earliest possible repacking / reclaiming of the broadcast spectrum.

While the ICT industry's future growth and the deployment of FirstNet depend on conducting the auction promptly, it is also important that the FCC takes enough time to get things right. The extra time created by the six-month delay announced by Chairman Wheeler should be used to maximize broadcaster participation in the reverse auction, including boardroom-level outreach to all broadcasters in the top 10 markets where the need for spectrum is greatest. Broadcasters will not participate unless they clearly understand their financial options, and it is the FCC's responsibility to facilitate this outreach.

In-Flight Mobile Services

TIA strongly supports the FCC's efforts to overhaul its outdated regulations on in-flight mobile services, following recent similar actions by the FAA. The rules were adopted many years ago, and the potential signal interference issues that motivated them have been resolved. By removing this outdated regulatory obstacle, the FCC will merely be allowing airlines to consult their customers and make educated, market-based decisions about what services to offer, including voice. Importantly, the FCC's removal of this regulation will not compel any airline to offer any particular cellular service.

However, the reality is that all forms of in-flight cellular services, including voice calls, have been successfully deployed by airlines operating in most of the world outside the United States. Experience shows that 80-90% of cellular use on planes involves texting or data; voice calls typically last 1-2 minutes in duration, with at most 1-2 calls being made simultaneously. Many of those "voice" calls involve checking voicemail, with no speaking by the passenger at all. There have been no reported instances of

“air rage” tied to voice use, nor are there any reported effects on flight safety, as confirmed by a recent statutorily-required FAA study of this issue.

IP Transition

The FCC should continue to facilitate the ongoing transition of legacy platforms and technologies to all-Internet Protocol (“IP”) networks in an organized and orderly fashion that protects critical communications services. In doing so, the FCC should encourage investment in intelligent network infrastructure, foster competition in the IP industry, accelerate broadband infrastructure investment, and allow the market to reflect consumer choice. To help achieve these goals, the FCC should assert federal jurisdiction over IP-based services to foreclose inconsistent state regulation, and should avoid mandates for indefinite retention of TDM and public switched telephone networks (PSTN) that would discourage investment in newer technologies.

Public Safety

To ensure continued near-term investment in LTE products for first responders while furthering the shared goal of nationwide public safety broadband network, the FCC should work proactively with key partners including FirstNet, NTIA, NIST, the Department of Commerce’s Public Safety Communications Research Program, and the Department of Homeland Security. The creation of the new public safety broadband network is expected to result in 100,000 new jobs and generate economic savings or benefits of \$4 to \$8 billion per year. The FCC should also build on the important progress in the 2012 spectrum law by working with stakeholders on additional legislation to further modernize the nation’s 9-1-1 system.

Universal Service and E-Rate Reform

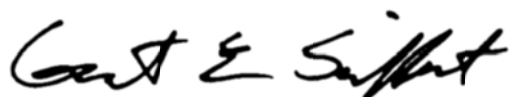
The FCC should continue promoting the transition of universal service and the E-Rate program towards broadband-capable infrastructure. The transition to broadband in these programs should incorporate flexibility and technology neutrality as key principles, while not inadvertently discouraging investment due to lack of clarity regarding expenditure requirements or because of program delays.

Simplifying Regulations

The FCC should continue its efforts to streamline and simplify regulations, resulting in increased market certainty, investment, and heightened quality and choice in ICT products and services. As one example, the FCC is currently seeking comment on a TIA Petition for Rulemaking that would facilitate more widespread use of electronic device labeling – a common-sense proposal that would increase the accessibility of important product information for consumers while simultaneously reducing costs.

For more information, please contact Danielle Coffey at (703)-907-7734 or by email at dcoffey@tiaonline.org. TIA once again thanks you for your work on these important issues, and we look forward to continued progress in 2013 and beyond.

Sincerely,



Grant E. Seiffert
President