



**Remarks by Laurie Baskin  
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on behalf of the**

**Performing Arts Alliance**

**Delivered at  
“Pardon the Interruption” A Capitol Hill Forum on the Need to  
Protect Existing Users of Broadcast and Wireless Microphones**

**Hosted by Rep. Bobby Rush (D-1<sup>st</sup> IL)**

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## **Introduction and Background**

Good afternoon. Thank you all for being here today. My name is Laurie Baskin and I’m Director of Research, Policy & Collective Action at Theatre Communications Group. TCG is the national organization for the professional, nonprofit American theatre with a membership of about 500 theatres across the country.

TCG works in coalition as a founding member of the Performing Arts Alliance which is a national network of more than 33,000 organizational and individual members comprising the professional, nonprofit performing arts and presenting fields.

For over three decades, performers have used wireless microphones to provide unrestricted on-stage movement and that delivers clear and accurate sound to sophisticated, appreciative audiences. This is very important to the performing arts, since there is no “Take Two” in live performances – the mood of the moment is destroyed if there is interference.

Wireless systems operating in white spaces are also used for backstage communications with stagehands to execute complex technical activity. Interference to these communications could compromise the safety of performers, technicians, and audiences.

These wireless microphones and backstage communications use portions of the broadcast spectrum that lie in “white spaces” between operating television stations. Wireless microphones in white spaces, when coordinated with broadcasters and other microphone users, neither cause nor encounter significant interference.

In 2008 the FCC decided that the white spaces should be shared by new “TV Band Devices,” such as advanced WiFi, cordless phones and gadgets yet to be invented. The Commission also determined that part of the TV spectrum vacated during the transition from analog to digital broadcasting should be auctioned to wireless companies and given to public safety authorities. Wireless microphones were required to move from that “700 MHz band” in 2010 at considerable expense, and with very little notice. Many of TCG’s Member Theatres spent between \$50,000 and \$100,000 on new wireless microphones in 2010. Many Presenting organizations spent several hundred thousand dollars to replace their systems.

To make it possible for wireless microphones and TV Band Devices to share the same airwaves, the FCC devised a geo-location database in which major wireless microphone users could register the times, locations, and channels of performances and prohibit new TV Band Devices from interfering.

Licensed wireless microphone users (broadcasters and movie studios) have immediate access to database registration. Unlicensed users, including users in the performing arts, need to demonstrate their need for registration and must wait 30 days for Public Comments. The FCC is considering rules that would permit large theatres and other users to apply for licenses.

In addition, the FCC set aside two “safe-haven channels” for exclusive use by any wireless microphones without need for database registration. This is an ideal situation for performing arts organizations that need only a few wireless units.

## **New Developments**

Congress passed the *Middle Class Tax Relief and Job Creation Act of 2012* which requires the FCC to transfer spectrum from TV broadcasting to wireless broadband through incentive auctions. After broadcasters have an opportunity to sell-off spectrum, the FCC will “repack” or reorganize the remaining broadcast spectrum into a more compact configuration. Less broadcasting spectrum means less white space for wireless microphones and TV Band Devices alike.

The FCC is also considering the elimination of the two safe-haven channels to make more spectrum available for auctioning to commercial wireless providers.

Many wireless microphone users only recently bought new equipment when they were required to move from the 700 MHz band. They may now need to buy more new equipment for another spectrum move.

Because of heavy consumer demand for faster and better wireless data service for smartphones, tablets, and other mobile devices, wireless carriers are applying tremendous pressure to free up more spectrum. There are expected profits from spectrum auctions which would help pay down the national debt. At the same time, it is important to understand the valuable contributions to American life made through the use of wireless microphones in many sectors, including the performing arts.

We are deeply grateful to Congressman Bobby Rush of Illinois and his staff, particularly Tim Robinson, for proposing a Bill that would require the FCC to award licenses to theatres and other large wireless microphone users; maintain the two safe harbor channels available exclusively for wireless microphones; and require the FCC to continue protecting wireless microphones through the database.

## **The Importance of Wireless Microphones**

The public now expects high-quality sound in theatres and that presentations will allow performers to be mobile. Backstage technicians use wireless technology to communicate cues for movement of sets, lights and other stage cues in all of the performing arts disciplines – symphony, opera, dance and of course, theatre. There is no substitute for wireless microphones.

School theater programs and small and midsized professional performing arts entities need the two safe-haven channels and larger performing arts organizations would benefit from expanded licensing that provides access to the geo-location database with a goal of preserving interference-free cultural and educational programs as well as protections for new commercial electronic devices.

Performances by opera and dance companies, symphony orchestras, community theaters, and regional theaters reach a combined audience of 190 million Americans annually and collectively represent an annual \$7.8 billion dollar industry.

### **What America Needs**

In its rush to provide spectrum for wireless data, the FCC must not overlook these other constituencies and their spectrum needs. Performing arts organizations provide demonstrable service to the public in improving quality of life; preserving our cultural heritage; in providing jobs, education, enlightenment, entertainment; and of course, contributing to local economies in every community across this country.

A reliable geo-location database will avoid interference between wireless microphones and TV Band Devices. Licenses must be available for theatres and other major microphone users to make it easier for them to access the database.

The two safe-haven channels reserved for wireless microphones are critical for protecting smaller users and K to 16 schools committed to the performing arts as part of their core curriculum.

The FCC is facing a significant challenge with its spectrum allocation decisions. If it fails to give due consideration and protection to wireless microphone users, the repercussions will echo loudly for years.