

Skadden, Arps, Slate, Meagher & Flom LLP & Affiliates

Federal Communications Commission Changes for Wireless Microphones June, 2014

## Part 74 Licenses for Live Productions

- Part 74 licenses are available for
  - o Venue Owners
  - o Venue Operators
  - o Professional Sound Companies.

• A license specifies the geographic area for which it is valid and a sound-company licensee may serve multiple clients within that area.

- A qualified licensee must routinely use 50 or more devices in an event or production.
  - o "Routinely" means "most" events or productions.
  - o Devices can be aggregated with more than one theatre or stage in the same location.
- Licenses will be available as soon as the Office of Management and Budget reviews the paperwork requirements.

• The Commission will conduct a new proceeding for long-term wireless microphone use, including consideration of a new frequency band.

There will be no compensation for equipment that must be replaced because of rule changes.

## **Continuation of Existing Uses**

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Licensed and unlicensed users may continue current practices until one of these events occurs:

o A winner of the 600 MHz forward auction begins operations that microphones would interfere with. This will vary by area, a "Partial Economic Area" or PEA.

By example, the New York City PEA includes 42 counties in New York, New Jersey, Connecticut, and Pennsylvania.

- o The new proceeding on a long-term home for wireless microphones is concluded and new rules are effective.
- o 39 months after the FCC issues new TV channel assignments.

The FCC hopes to conduct the auctions in late 2015.

Adding 39 months, the hard termination date would be in about five years: Spring 2019.

The FCC intends to make improvements to the TV Band database, including:

- o Easier access and operations;
- o Real-time sharing among databases;
- o More frequent access by TV Band Devices.

The FCC will allow wireless microphones to operate on a co-channel basis with TV stations.

- o Operations are authorized beginning 4 kilometers from a TV station's predicted service contour and
- o Closer to the TV station if the microphone user coordinates with the stations.
- o This authorizes the practice currently used by Broadway sound engineers.

## After TV Stations are Repacked

- There will be no "reserved" channels for wireless microphones.
- Wireless microphones will be able to operate co-channel and on first-adjacent channels with TV stations, protected from TV Band devices, which cannot use those channels.

• Wireless microphones can share channels with TV Band Devices, subject to protection through the database in these frequencies:

- o Any unused TV channel except first-adjacent channels;
- o One vacant channel in each PEA that the FCC expects to reserve for sharing by microphones and TV Band devices;
- Channel 37, now used only by Wireless Medical Telemetry Services (must be coordinated with nearby hospitals) and Radio Astronomy Services (only in remote areas searching for extra-terrestrial intelligence: e.g., Arecibo, Puerto Rico, Green Bank, West Virginia, Kitt Peak, Arizona).

## After TV Stations are Repacked

Wireless microphones and TV Band Devices can share use of the new Guard Bands:

- o Locations will depend on the number of TV stations that surrender spectrum rights in the Reverse Auction.
- o 7 MHz to 11 MHz wide between auctioned wireless and repacked TV broadcasting, anywhere from channel 27 (548 MHz) to channel 45 (662 MHz);
- o An 11 MHz"Duplex Gap" in the middle of the auctioned spectrum, somewhere between channel 40 (626 MHz) and channel 49 (686 MHz);

Part of the Duplex Gap will be reserved for exclusive use of licensed wireless microphones for onthe-spot newsgathering.

o Possibly 3 MHz either side of Channel 37, depending on the amount of auctioned spectrum.

2	42	21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 91 A B 11 A B 700 MHz UL
з	48	21 22 23 24 25 26 27 28 29 30 31 31 32 33 34 35 36 37 38 39 40 41 42 43 3 A R C 39 A R C 700 MH711
4	60	21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 9 A B C O 15 A B C O 700 MHz UL
5	72	21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 11 A B C D E 13 A B C D E 700 MHz U.
6	78	21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 7 A B C D E F 11 A B C D E F 700 MHz UL
7	84	21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 3 A B C D E F G 15 A B C D E F G 700 MHz UL
8	108	21 22 23 24 25 26 27 28 29 30 31 32 11 A B 3 37 3 C D F F O H 11 A B C D E F O H 700 MHz UL
9	114	21 22 23 24 25 26 27 28 29 30 31 7 A B C D 3 37 3 C F G H I 71 A B C D C F G H I 700 MHz UL
10	126	21 22 23 24 25 26 27 28 29 9 A B C D E F 3 37 3 G H I J 51 A B C D E F G H I J 700 MHz UL
11	138	
12	144	21 22 23 24 25 26 2 A B C D E F G H I J 3 37 3 K L 1 A B C D E F G H I J K L 703 MHz UL

