



VIA ELECTRONIC FILING

The Honorable Michael J. Copps  
Acting Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

February 27, 2009

Re: Ex Parte Comments of the Performing Arts Alliance: American Music Center, Association of Performing Arts Presenters, Chorus America, Dance/USA, League of American Orchestras, the National Alliance for Musical Theatre, OPERA America, and Theatre Communications Group

WT Docket No. 08-166

Dear Mr. Chairman:

On behalf of the members of the Performing Arts Alliance, we would like to express our support of the Ex Parte comments filed by the Broadway League under Docket 08-167 on February 13, 2009 – specifically their request that the FCC recognize the performing arts as eligible users of Subpart H frequencies. The performing arts community recognizes the benefits of greater access to the internet and encourages innovations that expand connectivity for underserved populations. At the same time, we remain concerned that shared use of the broadcast spectrum may open the door to increased radio interference for professional wireless audio systems used in our sector. We therefore seek recognition of our members as legitimate users and access to adequate protection measures from radio interference.

The Performing Arts Alliance is a national network of more than 4,100 members comprising the professional, not-for-profit performing arts and presenting fields. Wireless microphone technology is commonly used throughout the country in dance, music, opera, orchestras, and theatre productions. This equipment has been used on and off the stage for more than three decades, freeing performers from cumbersome microphone stands and facilitating communication among backstage technical crew, staff members, and performers. Wireless audio equipment allows the not-for-profit performing arts industry to serve their communities – from the Milwaukee Symphony to the Strathmore Hall – and all across the country, and your consideration to allow us to continue serving these communities with quality performances and programs is greatly appreciated.

The Performing Arts Alliance has met with staff in the Office of Engineering and Technology to discuss this issue, and we look forward to reaching an agreeable resolution with the FCC and other interested parties. During this time of re-allocation of the broadcast spectrum, we will

continue to seek recognition as legitimate users of Subpart H frequencies, access to all protections (including a geo-location database), adequate testing of all new devices to guard against interference with incumbent wireless audio equipment, and cost solutions to protect our members from shouldering the financial burden of this transition alone.

Sincerely,



Andrea Snyder, Chair  
Performing Arts Alliance  
President & Executive Director  
Dance/USA



Teresa Eyring, Executive Director  
Theatre Communications Group



Ann Meier Baker, President and CEO  
Chorus America



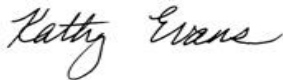
Sandra Gibson, President and CEO  
Association of Performing Arts Presenters



Joanne Hubbard Cossa, CEO  
American Music Center



Jesse Rosen, President and CEO  
League of American Orchestras



Kathy Evans, Executive Director  
National Alliance for Musical Theatre



Marc Scorca, President and CEO  
OPERA America