

FEDERAL COMMUNICATIONS COMMISSION

PROTECTING PERFORMING ARTS AUDIO TECHNOLOGY

ACTION NEEDED

We ask Congress to:

- Urge the FCC to expand Part 74 eligibility for licensing of wireless microphones to include performing arts organizations and venues, educational facilities, religious institutions, and museums. This expanded licensing eligibility would also ensure these entities access to all interference protection measures.

BACKGROUND

For the past 35 years, wireless microphone users including nonprofit performing arts organizations as well as commercial theaters, museums, schools, and musicians have utilized equipment operating within the “white space” radio frequencies between broadcast channels of the television band. The FCC has already authorized new white space devices, such as PDAs, cordless phones, and wireless laptops, to operate in the TV band. While the FCC has not previously made provision to license the use of wireless microphones by performing arts organizations and venues, educational institutions and museums, the agency has recognized the importance of these incumbent users in its proceedings. In order to avoid radio interference to professional wireless microphone and audio systems, as well as new white space devices, the FCC has proposed development of a geo-location database, which would provide an interference protection mechanism.

Wireless microphone technology is commonly used in the performing arts. For more than three decades, this technology has allowed unrestricted onstage movement and sophisticated sound. Wireless systems are also heavily utilized backstage for the two-way radios used by stagehands to communicate and execute complex technical activity. Interference to these backstage communications could compromise safety for performers and audiences.

In order to assure access to this geo-location database as well as any other interference protection measures, performing arts organizations and venues, educational facilities, and museums must be eligible to apply for a license to operate their wireless microphones. As the FCC works to develop the technical and operational rules to regulate new wireless devices, it must also strive to safeguard existing services, including wireless microphones, while committing to opening the spectrum to new uses. H.R. 4353, introduced by Rep. Bobby Rush (D-IL), would require the FCC to authorize access by operators of wireless microphones to the geo-location database. Performing arts organizations and venues, educational facilities, and museums would benefit from interference protections provided by the FCC with a goal of preserving interference-free entertainment, sports, news, religious, and other productions as well as protections for new electronic devices.

TALKING POINTS

- The FCC recently adopted an order which mandates that wireless microphones cease operating in the 700 MHz band by June 12, 2010. Most microphone systems would have to be replaced in order to comply with the FCC Order. The Association of Performing Arts Presenters reports that its members have spent between \$25,000 and \$900,000 on wireless microphone equipment that will need to be replaced. A number of regional theaters have reported that the cost of transition has averaged \$25,000 so far. According to the Educational Theatre Association, high school theater programs, on average, will incur between \$8,000–\$10,000 in equipment replacement costs. These costs must be incurred on a quick timeline and endured by institutions least able to afford this transition, in an economic climate in which public and private funding from all sources is diminished.
- As the FCC receives comments on its Notice of Proposed Rulemaking, it is important to remind the agency that interference would adversely affect the ability to provide the high-quality performances that audiences have come to expect at performing arts organizations and venues, educational institutions, and museums. There are more than 21,000 school theater programs in the United States; restrictions on wireless microphone use would impact approximately 500,000 students enrolled in those programs. Performances by opera and dance companies, symphony orchestras, and regional theaters reach a combined audience of 104 million Americans annually and collectively represent an annual \$6.8 billion dollar industry. Professional wireless capability is essential to the professional nonprofit performing arts sector.

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TALKING POINTS (CONTINUED)

- The impact on touring Broadway productions in 240 cities across North America—seen by more than 17 million theater-goers each year—would be devastating. Broadway theaters in New York attract 12 million theater-goers per year, support 45,000 full-time equivalent jobs, and generate an economic impact of \$4.8 billion—an industry that would be crippled without wireless capability. This is indicative of the impact on performing arts venues in general.
- Some systems for hearing impaired theatre patrons rely on wireless microphone technology and frequencies. Without the proper operation of these technologies, our hearing impaired patrons will suffer inferior quality performances.