



Federal Communications Commission – Changes to Rules for Wireless Microphones

Open Meeting, May 15, 2014

On June 2, the FCC released its Auction Order which contained a discussion about spectrum that will be available for wireless microphones after the Auction. On the same day, the FCC released its Order expanding eligibility for Part 74 licenses.

Attached is an analysis and summary of those Orders by Dave Pawlik, attorney at Skadden, Arps, Slate, Meagher & Flom LLP, who is providing pro bono advice to the Performing Arts Wireless Microphone Working Group.

It is important for users of wireless microphones in the performing arts to understand that change is coming. There is some modest good news from the FCC's May 15 meeting and subsequent publication of its new Rules:

Part 74 licensing expands to performing arts entities.

For the first time, the FCC will allow a limited expansion of Part 74 licensing to performing arts entities. Until now, only broadcasters, cable companies, and movie studios were eligible for this type of license. Venue owners and operators and sound companies that routinely use 50 or more devices per event will be eligible for a license. The FCC is not accepting license applications yet – the Commission first needs to update its process for applying for a license.

The FCC plans to make minor changes to its Form 601 (a multi-purpose form) to accommodate wireless microphones applying for a license. The Office of Management and Budget (OMB) must publish a Notice seeking comments on a revised FCC application form, and approve an updated form before it can be put into use. The process to update this form could take up to four or five months.

Once the FCC has an approved application form, applicants will follow the following procedure: First, an applicant needs to acquire an FCC registration number, granted instantly on the FCC website:

<http://wireless.fcc.gov/uls/index.htm?job=home>. Next, on that same page, the applicant would file an electronic application for a license, which is self-guided. The fee for a license is \$160.

Please remember – venues that are comprised of more than one theater or stage area may band together to apply for a license! Also, if you rent your sound equipment, it is entirely possible that the company you rent from is licensed and their license can travel to you with their equipment.

If your performing arts organization plans to apply for a license, please contact: Please contact Laurie Baskin, TCG's Director of Research, Policy & Collective Action at lbaskin@tcg.org.

Wireless microphones will relocate in the spectrum.

Wireless microphones will probably have to move to new frequencies after the auction is complete and TV stations are moved to a more compact section of the current TV band. Initially, microphones may need to move from the higher end of the 600 MHz TV Band to lower channels (perhaps channels below 38). This is expected to happen in the next five years and relocating equipment within the spectrum will incur expense unless existing equipment is able to use the required channels. We advise performing arts organizations to begin planning and budgeting as soon as possible – existing equipment may need to be replaced if relocated.



For the near future, wireless microphones may continue current practices. The FCC will also initiate a rulemaking proceeding to determine the long-range spectrum home for wireless microphones. This would most likely be in a totally different frequency band where most current equipment would not function – and equipment for as-yet unidentified spectrum does not exist yet. The rulemaking would determine when the new band would be available, whether the move would be compulsory or optional, and whether microphones would have exclusive or shared use of the space. These issues were discussed at the FCC’s September 30 Open Meeting. A published Notice of Proposed Rulemaking will follow in the coming weeks and we will update you then.

Wireless microphones can share channels with TV stations.

In the meanwhile, the FCC plans to improve the database, and will allow wireless microphones to operate on the same channel (co-channel) as TV stations. Microphones can also operate on the adjacent channels to TV broadcast stations, which at the moment are not available to TV Band Devices. There is a possibility, though, that the FCC will open these adjacent channels to those devices, in which case wireless microphones will have to share that spectrum. This would make the database more important.

There will be no channels reserved exclusively for wireless microphones.

Co-channel and adjacent channel sharing with TV stations will occur as described above. Also, wireless microphones can share unused TV channels with TV Band Devices and there will likely be one vacant channel available for this shared use.

Check the database for available channels.

It is important for sound engineers to check the databases for available channels in a given location. Please remember that Part 74 licenses allow immediate access to the database. Unlicensed wireless microphone users must apply to participate in the database, and endure a 30-day Comment Period. Arts organizations in a performing arts center can apply to be licensed as a group.

Links to three white spaces databases. These are links directly to the pages that allow one to search out the frequencies available for wireless microphones in your neighborhood. If a link does not work, try a search by “white space” and the name of the administrator (Keybridge, Google, or iconectiv).

Keybridge:

https://keybridgeglobal.com/whitespace/apps/spectrum_explorer/index.xhtml?jftfdi=&jffi=%2Fapps%2Fspectrum_explorer%2Findex

Google:

<https://www.google.com/get/spectrumdatabase/>

iconectiv (formerly known as Telcordia):

https://spectrum.iconectiv.com/main/home/contour_vis.shtml

Please contact Laurie Baskin, TCG’s Director of Research, Policy & Collective Action at lbaskin@tcg.org or Alissa Moore, TCG’s Education, Research & Collective Action Associate at amoore@tcg.org, if you have further questions or concerns. We will continue to keep you apprised of new developments.