



March 17, 2009

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

Dear Ms. Dortch:

On Thursday, March 12, the Performing Arts Alliance met with Paul Murray in the office of Acting Chairman Michael Copps to discuss wireless microphones as eligible users of the spectrum. Specifically, the Performing Arts Alliance asked for wireless microphones to be affirmatively authorized by the FCC and for this issue to be resolved under the 700 MHz proceeding.

The Performing Arts Alliance is a national network of more than 4,100 organizational members comprising the professional, not-for-profit performing arts and presenting fields. For 30 years, the Performing Arts Alliance has been the field's premiere advocate before the U.S. Congress and key policy makers. Through legislative and grassroots action, the Performing Arts Alliance advocates for national policies that recognize, enhance and foster the contributions the performing arts make to America. Our member organizations include the American Music Center, the 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.

During our meeting with Mr. Paul Murray, it was discussed that wireless microphone technology is commonly used in dance, music, opera, orchestra and theatre productions across the country. Wireless equipment has been used on stages for more than three decades, freeing performers from cumbersome microphone stands and hazardous wires, and creating an increasingly safe environment both in front of the curtain and backstage for technical crews and performers. Given the thousands of performances held by arts organizations annually, the use of wireless microphones is essential to producing high-quality performances and mitigates against significant public safety concerns.

The Performing Arts Alliance recognizes the benefits of greater access to the internet and encourages innovations that expand connectivity for underserved populations. During the meeting, we explained that the Performing Arts Alliance fully supports white space devices and that the Alliance is not taking a position on the ban of wireless microphones from the 700 MHz band. For the past several months, the Performing Arts Alliance has been urging members to cease operation of all wireless microphones in the 700 MHz band.

During this time of re-allocation of the broadcast spectrum, the Performing Arts Alliance requests that the FCC recognize the performing arts sector as legitimate users in the spectrum. The Public Interest Spectrum Coalition raised the issue of 'unauthorized use' of the 700 MHz spectrum in Docket 08-167, Informal Complaint and Petition, and the FCC appears to acknowledge this use, citing 'incumbent users' in its November 14, 2008 Report and Order, Docket 08-260. We now ask the FCC to affirmatively authorize and embrace the use of wireless frequencies used in the performing arts.

Please feel free to contact the Performing Arts Alliance for more information on our position on this and related issues.

Sincerely,

A handwritten signature in black ink that reads "Andrea E. Snyder". The signature is written in a cursive style with a large, prominent initial 'A'.

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