

ALERT

FCC Seeks Comment on Broadcast Incentive Auction Issues

October 3, 2012

On October 2, 2012, the Federal Communications Commission (FCC or Commission) released a Notice of Proposed Rulemaking (NPRM) that seeks comment on issues relating to the implementation of voluntary incentive auctions aimed at repurposing broadcast television spectrum for mobile broadband use. This will make the United States the first nation in the world to implement incentive auctions. Incentive auctions will offer financial opportunities to broadcasters, while enabling much-needed additional spectrum for mobile broadband.

The NPRM seeks comment on the following issues, among others:

- Auction design choices and the tradeoffs they present;
- Whether to establish reverse auction bid options in addition to those identified by the Spectrum Act;
- How to implement Congress' mandate to make "all reasonable efforts" to preserve the coverage area and population served of television stations;
- A band plan for reclaimed broadcast television spectrum;
- Whether to relocate the Radio Astronomy Service and wireless medical telemetry systems operating on Channel 37;
- Whether and how to address the post-auction availability of UHF spectrum for fixed broadcast auxiliary stations, low power auxiliary stations, and unlicensed wireless microphones;
- Measures that would make a substantial amount of spectrum available for unlicensed uses;

Practice Areas

Telecom, Media & Technology

- Competitive bidding rules and procedures; and
- How to implement the repacking of broadcast television spectrum and clear reclaimed spectrum.

Comments are due on December 21, 2012, and reply comments are due on February 19, 2013.

[View a full summary of the NPRM.](#)