

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of )  
 )  
Service Rules for the 746-764 and ) WT Docket No. 99-168  
776-794 MHz Bands, and Revisions to )  
Part 27 of the Commission's Rules )

**REPLY OF MOTOROLA**

Motorola hereby replies to the opposition of the Spectrum Exchange Group to certain petitions for reconsideration filed in the above-captioned proceeding.<sup>1</sup>

In opposing the Petitions for Reconsideration filed by the National Association of Broadcasters<sup>2</sup>, and the Association of Local Television Stations, Inc.,<sup>3</sup> the *Spectrum Exchange Opposition* indicates that it intends to pursue voluntary agreements that lead to relocating incumbent broadcast stations operating on channels 59-69. Thus, the *Spectrum Exchange Opposition* urges the FCC to deny the ALTV and NAB petitions and approve voluntary requests of broadcasters wishing to terminate its over-the-air analog broadcasting service before the end of the DTV transition.<sup>4</sup> Furthermore, the *Spectrum Exchange Opposition* urges the FCC to adopt mandatory relocation policies for broadcasters operating on channels 59-69 if a comparable

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<sup>1</sup> *Opposition of Spectrum Exchange Group, LLC to Petitions for Reconsideration*, WT Docket No. 99-168, submitted March 10, 2000 [*hereinafter Spectrum Exchange Opposition*].

<sup>2</sup> *Petition for Partial Reconsideration Submitted by the National Association of Broadcasters*, WT Docket No. 99-168, February 22, 2000.

<sup>3</sup> *Petition for Reconsideration and/or Clarification by the Association of Local Television Stations, Inc.* WT Docket No. 99-168, February 22, 2000.

<sup>4</sup> *Spectrum Exchange Opposition* at 2.

channel below channel 59 can be shown to exist.<sup>5</sup> According to the *Spectrum Exchange Opposition*, the FCC must adopt policies that allow for the rapid clearing of 700 MHz broadcast stations so that the band can achieve its tantalizing potential.<sup>6</sup>

Motorola also opposed the NAB's position that the FCC should not entertain voluntary requests of broadcasters to terminate analog service on channels 59-69.<sup>7</sup> Motorola noted that there are "numerous public interest considerations at issue" and none more important than making the 700 MHz spectrum accessible for public safety services.<sup>8</sup> In support of that goal, Motorola urged the FCC to "think creatively and act aggressively" to ensure that the DTV transition does not languish.<sup>9</sup> These sentiments were echoed by other commenters interested in developing the 700 MHz band to its fullest potential.<sup>10</sup>

Motorola vigorously supports the need for additional Commission involvement in promoting the (hopefully voluntary) removal of the incumbent broadcasters. The Commission should be highly motivated to implement any innovative regulatory solution – both before and after the auction – to ensure that this spectrum can be used as intended by the auction winners.

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<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Comments Of Motorola On Petitions For Reconsideration*, WT Docket No. 99-168, March 10, 2000.

<sup>8</sup> *Id.* at 7.

<sup>9</sup> *Id.* at 8.

<sup>10</sup> *See Opposition of APCO to Petitions for Reconsideration of National Association of Broadcasters, the Association for Maximum Service Television, Inc., and the Association of Local Television Stations, Inc.*, WT Docket No. 99-168, March 10, 2000 at 3. *See also, U.S. West Wireless, LLC Opposition to and Comments on Petitions for Reconsideration*, WT Docket No. 99-168, March 10, 2000 at 5.

To this end, Motorola reiterates its recommendation that the FCC – either in this proceeding or in some other venue – mandate that broadcasters relocating from channels 59-69 not be disadvantaged by losing cable television must carry rights. While the issues relating to the carriage of digital television signals may require further discussion, it is non-eventful for a cable system to continue to be required to carry the programming of a channel 60-69 station that terminated its analog transmissions provided that the programming continues to be delivered to the cable head-end in analog form.<sup>11</sup> Implementation of such policies will lead to the availability of broad spectrum capacity for new public safety services and commercial operations. As stated by the Spectrum Exchange, that is a win-win proposition for the public interest.

Respectfully submitted,  
MOTOROLA

/s/ Richard C. Barth  
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March 17, 2000

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<sup>11</sup> The continued availability of television programming via cable service will suffice for some broadcasters during the DTV transition period. This is especially true since these stations rely heavily on cable to reach a majority of their (oftentimes limited) viewers, given the relatively poor propagation characteristics of television signals in the upper UHF-TV channels.

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of March, 2000, I caused copies of the foregoing  
“REPLY OF MOTOROLA, INC.” to be mailed via first-class postage prepaid mail to the  
following:

Peter Crampton  
Chairman  
Spectrum Exchange Group, LLC  
4405 Holly Hill Rd  
Hyattsville, MD 20742

/s/ Kim R. Riddick  
Kim R. Riddick