

# Competitive v. Top-Down: The TV Band “White Space” Issue

Thomas W. Hazlett

Professor of Law & Economics

George Mason University

twhazlett@gmail.com



INNOVATION, TECHNOLOGY, AND SPECTRUM POLICY

Information Economy Project

George Mason University School of Law

Sept. 21, 2006

# Current TV Band Proceeding

- Unlicensed use of “white space”
  - Devices approved by FCC for sharing spectrum without causing “harmful interference” to others
- Overlays defining exclusive rights and assigned to owners (presumably via competitive bidding)

# The FCC Evaluates, Top-Down

- comparing bands in the “public interest”
- crafting rules specific to each allocation
- weighing pleas from interested parties
  
- radio spectrum held hostage
- “command and control” reigns
- case-by-case stalls deployments

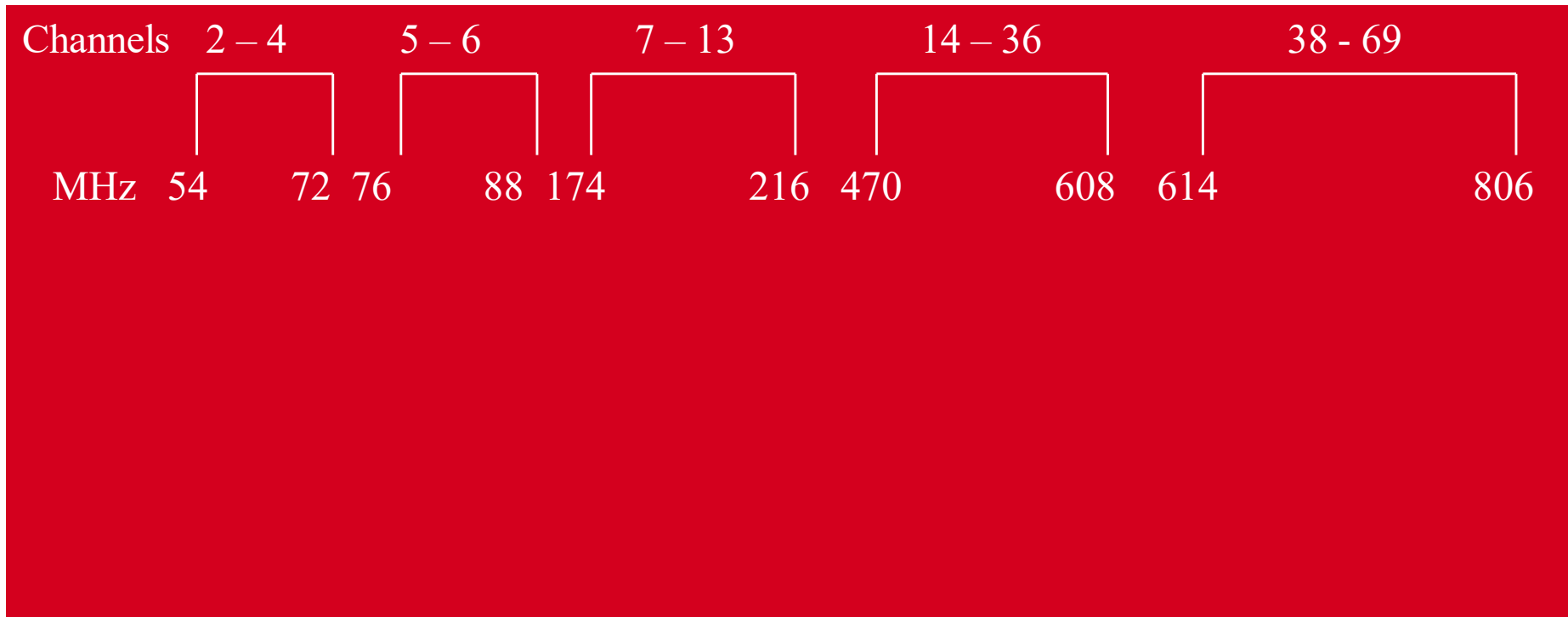
# “[W]orld's leading market showcase for wireless data”

Sydney "has become the world's leading market showcase for wireless data services," says... U.S. technology research Gartner in Australia... [A] reason wireless broadband is taking off here: The government sold off radio spectrum for such services relatively cheaply. Privately held Personal Broadband snapped up its license in 2001 for only about US\$7.5 million.

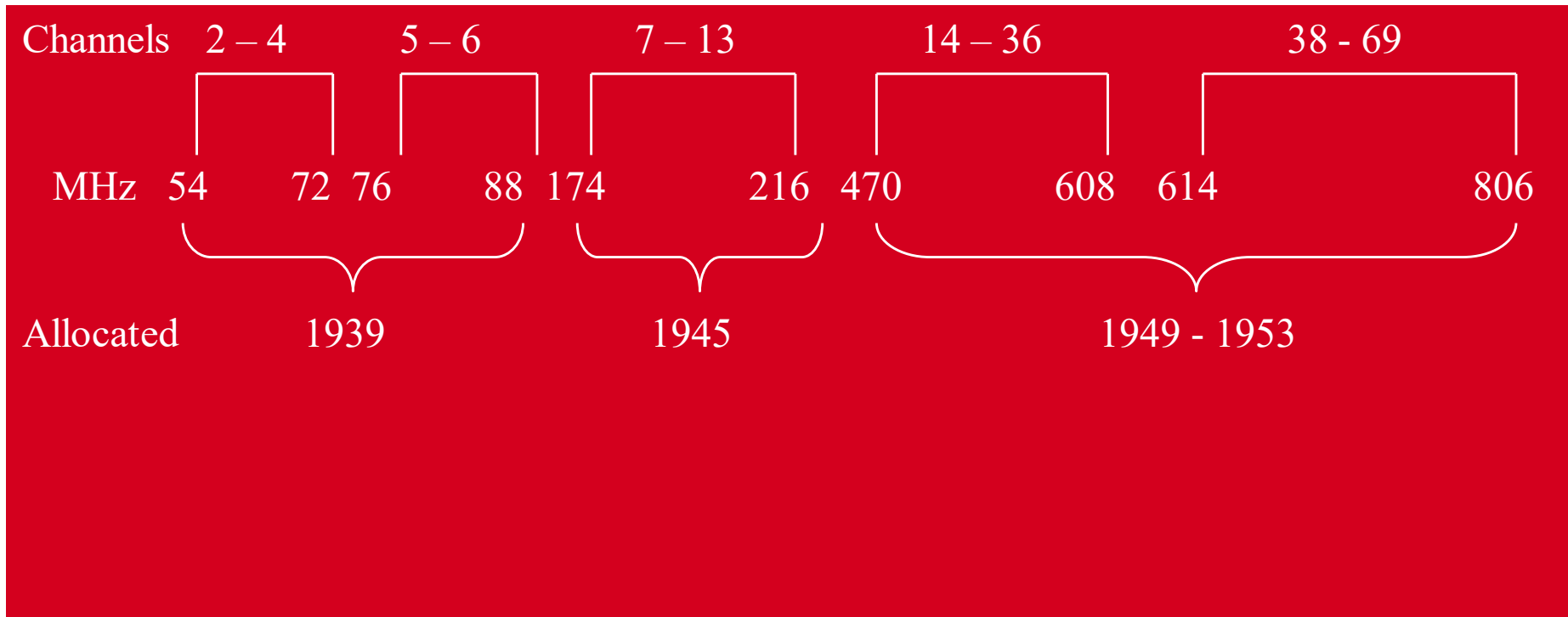
# 8 TV channels per market

- 67 channels set aside per market

# The U.S. Broadcast TV Band



# The U.S. Broadcast TV Band



# DTV “Transition”: Top-Down State of the Art

- ~ 8 channels of analog ( $\approx 1700$  sta/210 TV mkts)
  - using 402 MHz of VHF/UHF
- ~ 50 channels of digital
  - using 294 MHz of VHF/UHF
  - plus unlicensed devices performing under FCC specifications
  - and zero opportunity to transact for more efficient organization of “TV Band”



# Efficient Solution

- Overlays
- PCS test drive
  - reallocation of microwave links a political obstacle
- 1996 Pressler plan
- enabling complex spectrum sharing
  - as in flexible use licensed bands
  - producing tens of billions in \$ annual consumer gains
  - leaving option to use MHz for low-power devices

Thank you.