

## The Next Step

Pro audio weighs in with the FCC

By Gary Stanfill

**A**s discussed over the past several months in *Live Sound*, the FCC (Federal Communications Commission) is poised to take action that could have significant impact on U.S. users of entertainment wireless systems (microphones, in-ear monitoring, etc.).

Under consideration by the FCC are proposed new rules that would allow unlicensed wireless equipment to operate on “unused” TV channels in competition with wireless mics and other established users. Since it’s expected that the majority of these new devices would be essentially consumer items, likely eventually num-

bering in the millions, the impact on wireless mics could be huge.

Last year, the FCC issued a “notice of proposed rule making” as the first official step in the process to make such devices legal. As is customary, a public comment period followed, during which interested parties could make their views known. This ended the last day of January 2005, and the next phase has now begun. Although there is no set schedule, formal action is expected within the next two to six months.

On technical grounds, the broadcasters and wireless mic manufacturers made some compelling points. The broadcasters pointed out that this action could seriously impact the DTV transition at a very critical time. They also identified several questionable assumptions in the FCC proposal, particularly in regards to potential interference. Wireless mic manufacturers highlighted several assertions in the FCC proposal regarding wireless mics that were technically inaccurate or just flat wrong.

On the other side, the arguments of the large consumer companies supporting the proposal were basically along the lines of “we really want to do this” and “don’t worry, we won’t cause interference, or if we do, a little interference never hurt anybody.”

The activist organizations basically championed “electronic freedom for the people” and essentially asserted that the broadcasters are big corporations that deserve nothing but scorn. They also submitted some “data” that was more or less ridiculous. The remaining comments were relatively



# Wireless Jungle

neutral, with most urging caution about the potential interference.

However, after an initial technical evaluation, the rule-making process will become almost entirely political in nature. Powerful interests are in opposition, and both sides have much at stake.

On one side are broadcasters at all levels – wireless mic manufacturers and various current users of these frequencies. On the other side are computer companies, networking companies, large electronics manufacturers and some social activist organizations.

The FCC itself is fundamentally political in nature, and as such, is heavily influenced by Congress, the current Administration, lobbyists and individual political agendas. Equally important is that the FCC generally views its mission as being to maximize the economic benefits of spectrum use. (The entire DTV transition was largely based upon this, despite some assertions to the contrary.)

Further complicating the picture is the pending change in chairmanship of the FCC. The outgoing chairman was aggressive in pursuing initiatives such as this; the new chairman may well have different priorities.

Some observers speculate that the outgoing chairman may try to push this through to completion before his departure as part of his “legacy.”

Others think that the incoming chairman might be inclined to move more cautiously and deliberately.

It's pretty much impossible to predict how this will turn out. Given all the forces at play, speculation is probably pointless. Having said that, it does seem likely that the FCC will make, at the very least, some provisions for continued wireless mic usage. In addition, some form of special limited-time protection will probably be extended to big events such as the Super Bowl, awards shows, political conventions and the like.

## TO BE COMMENDED

The valuable contributions of Shure, Audio-Technica and Sennheiser in fighting this proposed action must be acknowledged. This collective, organized effort is an industry first, and should be highly commended.

Shure, in particular, devoted very substantial engineering and legal resources to the fight. They also helped organize a grassroots campaign within the community, resulting in the submission of a number of useful comments from high profile wireless users.

Unfortunately, the networks, TV/film studios, sports organizations and major venues were missing in action. Considering how much they have at stake, this is more than a little

surprising. Possibly, they consider wireless mics like cell phones – always there when you need them. If so, they could be very wrong.

Special attention of the “other” kind should be paid, in particular, to Intel Corporation. Intel savagely attacked wireless mic systems on the last day of the comment period, when the wireless industry could no longer defend itself.

The big dog wants what it wants, and doesn't plan on taking any prisoners. This might be worth considering the next time you need a new computer.

We can, and should, hope for the best. When the FCC decision is announced, we will doubtlessly do what the pro audio industry always does: deal with it and continue to move forward.

*Editor's Note: To get fully up to speed on Gary's coverage of this vital topic, see “Wireless Jungle” columns in the September 2004 and January 2005 issues. And note that in compiling this coverage, he reviews virtually every word of every single FCC filing on the matter. ■*

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