

# United States Senate

WASHINGTON, DC 20510

August 5, 2015

Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Dear Chairman Wheeler,

We are writing to request a three month delay in the Commission's consideration of technical rules for the use of Channel 37 by unlicensed TV White Space ("TVWS") devices. Because the availability of Channel 37 for use by unlicensed devices has already been determined, a three month delay in establishing technical rules would not impact the timing or planning for the incentive auction. It is imperative that the Commission establish fully adequate technical rules for sharing, as those rules will impact the safety and use of critical medical monitoring technology for hospitals. We strongly urge you to give the medical technology stakeholders and the unlicensed community more time to work out a technical sharing agreement that will maintain the safe use of all devices in Channel 37.

Wireless medical telemetry service ("WMTS") systems for cardiac and fetal monitoring in hospitals have long used Channel 37 to operate without interference, which could severely impact patient health and safety. Hospitals and professionals rely on WMTS every second of every day to keep patients alive and safe. It is essential that WMTS devices can continue to operate without any interference from TVWS devices. As such, we urge you to give full and fair consideration to the comments submitted by more than 150 hospitals in over 40 states, as well as many nurses and other medical professionals, regarding the critical nature and substantial benefits of WMTS. The record also includes the results of real-world testing at three different hospitals demonstrating that interference to WMTS systems will be caused by a TVWS devices operating at the initial power-levels and distances proposed by the Commission.


We are encouraged that the WMTS Coalition and the unlicensed community have been working together to establish criteria that could be adopted by the Commission for when, where, and how unlicensed TVWS devices could operate on Channel 37, while ensuring that safety of life WMTS systems are not interfered with. We believe that this type of cooperation should be encouraged, and the parties should be given the time they need to arrive at a mutually agreed upon solution that protects WMTS systems and allows unlicensed TVWS devices to proliferate to the maximum extent technically possible around hospitals.

The Commission should not to rush the highly technical decisions regarding sharing of Channel 37, particularly when patient safety is at issue and when a short delay to enable continued stakeholder discussions would not delay the start date of the auction. Therefore, we ask you to remove consideration of the Channel 37 issues from the Report and Order in the Part 15 Rulemaking that will be considered at the Commission's August Open Meeting in order to give

the stakeholders at least three more months to forge an industry solution that protects patients while enabling the safe use of TVWS devices.

Sincerely,

  
Tammy Baldwin  
United States Senator

  
Amy Klobuchar  
United States Senator

  
Debbie Stabenow  
United States Senator