



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM
H. Martin Lancaster, President

MEMORANDUM

TO: Community College Presidents
FROM: J. Parks Todd
DATE: February 2, 2001
SUBJECT: ITFS Report and Action Plan

The attached report and action plan is an expanded version of the one that was distributed at your association meeting on January 25. Please give this matter your immediate attention. **The deadline for carrying out the action plan is February 22.**

President Lancaster has approved the action plan and urges you to carry out your role in it.

Additionally, Bruce Howell, Chairman of the Wireless Communications Consortium Steering Committee, has also given his approval.

If you have questions that are not addressed in the status report, the person on your staff who developed your Applications/Utilization Plan should be able to assist you. Additionally, feel free to call on me. If I don't have the knowledge or information that you need, I can probably find it for you.

This communication is being sent to all Presidents in the hope that those of you who do not have an ITFS license or an application pending will nevertheless give your colleagues whatever support you find possible. President Lancaster is on record supporting an effort to bring those colleges into a wireless network via other frequencies when the ITFS network is established.

Copies of this communication and the attached report are also being sent to the chairpersons in each market area with a suggestion that copies be forwarded to the person on the other campuses in that market who are responsible for the Applications/Utilization plans.

JPT:sh
Attachment

c: President H. Martin Lancaster
Dr. Stephen C. Scott
Dr. Brenda H. Rogers
Mr. Bob Blackmun
Market Area Chairpersons

CC01-023
Email Copy

STATUS REPORT ON ITFS PROJECT

January 31, 2001

New Wine in Old Wineskins

ITFS is an outdated term-of-art that describes the past—the past utilization, the past hardware, the past transmission mode, and the past “rules of the game.” When this project began in 1995, ITFS (Instructional Television Fixed Service) accurately described the technology and the intended use. The term “wireless cable” was used interchangeably with “ITFS” because it was intended to deliver full motion television signals into homes. One of the major goals of the FCC was to provide competition to regular cable providers such as Time-Warner. The FCC rules and regulations were designed to fit the wireless cable model. Many of the FCC rules and regulations are still in place and we are struggling to translate them to a totally new model. The advice given by the FCC staff is to make a “good faith effort.”

This “creature” that we will have to continue to call ITFS until someone comes up with a new term-of-art has evolved into something new and more valuable: *wireless broadband connectivity*. Although the emphasis is now on data, the system is capable of carrying IP video.

The increased value of ITFS is indicated by the fact that there is a long line of special interest groups trying to take it away from educators. That issue will be developed more fully later in this paper.

Brief History of a Long Struggle

This project began early in 1995. A committee made up of seven presidents was formed to oversee the project. Cindy Pannill, Todd Dupree, and Parks Todd of the System Office and Kemp Harshman of the Clarendon Foundation provided staff support. An RFP was sent out to at least eight potential private sector partners. There were two respondents, only one of which had the capability to build an ITFS system. Wireless One of North Carolina (WONC) was owned at that time on a 50-50 basis by Wireless One of Louisiana and Concord Telephone Company, now CT Communications. Sometime in late 1998 or early 1999, Wireless One of Louisiana declared bankruptcy and their part of WONC was purchased by WorldCom. The good news is that CT Communications is a North Carolina Company that has proven they can deliver services to rural areas and still turn a profit. CT’s self interests are more in keeping with the interests we represent. Most of our negotiations will be with CT. WorldCom, of course, brings vast financial resources.

A Shared Vision

Over five years ago, WONC and the North Carolina Community College System shared a vision: to have a statewide wireless network that would provide broadband two-way connectivity. During those five years community colleges have invested several thousand

hours and WONC has invested several million dollars. WONC and community colleges have done a tremendous amount of work in preparing license applications, locating transmitters, resolving the mutually exclusive applications, and solving interference problems or securing joint statements of no objection. Viewed as a whole, the MMDS and ITFS channels constitute a technical coherent network strategy. North Carolina is unique in that public schools, community colleges, and public universities have in essence formed a statewide consortium aimed at creating a seamless web of lifelong learning. There are states that have networks controlled by a single entity. North Carolina has taken a different approach in that public schools, community colleges, and public universities have a great deal of local autonomy, thereby allowing them to meet the unique needs of their locale. This approach demanded a lot more work than if it had been done by and on behalf of a single entity.

ITFS is the fastest way to narrow or close the digital divide. North Carolina is made up of twelve major television markets and eight secondary markets. This means that the state has large expanses of rural terrain. In reality, there are two North Carolinas. One is the urban and suburban North Carolina that is growing and prosperous. The other is the rural North Carolina that is struggling with an uncertain economic base.

Just as distinct MMDS and ITFS channels need to be conjoined to be effective, so also must the goals and objectives of the educational community and our commercial partner be compatible. We have demonstrated in over five years of working together that this is the situation in North Carolina. If any of the MMDS and ITFS bandwidth is taken away, the work of five years by the public schools, the community colleges, the public universities, and our commercial partner will have been for naught and the vision will perish.

The Licensing Process

The following 17 colleges have licenses: Bladen, Brunswick, Cape Fear, Central Carolina, Coastal Carolina, Edgecombe, Fayetteville, *Halifax*,* Nash, Pitt, Richmond, Robeson, Sampson, Sandhills, Vance-Granville, Wayne, and Wilson.

The following 22 colleges have filed applications that are still pending: Asheville-Buncombe, Blue Ridge, Carteret, Catawba Valley, Central Piedmont, College of the Albemarle, Craven, Davidson, Durham, Forsyth, Gaston, *Guilford*,* James Sprunt, Johnston, Lenoir, Mitchell, Pamlico, *Randolph*,* Rowan-Cabarrus, South Piedmont, Stanly, and Wake.

Cleveland and Isothermal had to withdraw their applications because of technical interference with South Carolina Educational Television. They would have had to reduce their power so much that neither the colleges nor WONC could have justified the time and money involved.

* Halifax is part of a consortium with Vance-Granville, Nash, and Edgecombe, but somehow has been left off the lists from WONC's legal counsel. Guilford and Randolph did not appear on the original list because there was some channel shifting. They are in the fold.

The total number of community colleges involved in the ITFS Project is 39. This does not mean that there will be 39 licenses, because some of the colleges are part of a consortium or sharing of channels with others in their market area.

It should be noted that no college has a license for two-way digital utilization, or what one might call the “new ITFS.” The licenses are for video only. WONC filed in the first filing window for their commercial channels, but could not file for the ITFS channels because all of the technical interference problems had not been solved. That is the bad news. The good news is that we do not have to start over. Much of the work done under the old project was transferable to the new ITFS. The applications are all prepared and will be filed when the FCC opens the next filing window. However, given the FCC’s timetable of licensing windows and periods for comments and protests, it appears that the earliest that WONC could begin building systems would be the summer of 2002.

It should also be noted that the 17 colleges that have licenses for video have an “escape clause” in their contracts stating that WONC must build the systems within three years of the granting of a license. That clause will become effective in a period running from April 9 until August 21. In order to build a statewide ITFS system, we would likely have to stay with one company. We have come so far with WONC that it would probably not be wise to exercise this clause. It could, however, give us far more leverage than we had five years ago to improve the contract conditions of all of the 39 colleges involved, and perhaps that of the UNC System.

The Washington attorney Robert Rini, who was hired during the early summer with funds from the System Office, has provided valuable services. That contract has run out, but we need his services even more as we go into negotiations with WONC, hence Bruce Howell’s call for dues from members of the Wireless Communications Consortium.

The Latest and Greatest Threat to ITFS

So far, we have beaten back two serious threats to our resources. First, there was the threat of an auction that would have had colleges bidding against each other—a formula for disaster. Second, the satellite industry mounted a raid on our frequencies. We have prevailed upon you to write numerous letters to the FCC regarding these and other threats to ITFS. You must be growing weary of it all. But now is not the time to quit. We have run the 26 miles of a marathon. Now, we must simply find the strength to run the remaining 385 yards.

The latest and greatest threat is from the third generation of mobile/handheld devices, most often referred to simply as 3-G. Parks Todd attended the National ITFS Association conference in Orlando, January 8 – 10. He reports that every speaker, either from the podium or as part of a panel, stated that 3-G is by far the most dangerous threat we have faced.

Educators do, however, have friends in Washington. At one of the FCC hearings, a member of the audience stated: “You are talking about gutting an educational resource so that yuppies can check their stock portfolios and order flowers for their friends while sitting at a bar.”

If ever we needed to be convinced that ITFS is a very valuable resource, just look at all the special interests that are staging raids.

The 3-G threat is but another reason why we must regain the services of Robert Rini.

Action Plan

Reporters speak of stories either having or lacking “legs,” meaning attracting interest and having staying power. If we don’t kill the 3-G movement to take the ITFS frequencies before it gains “legs,” we may lose the thousands of person-hours that have been devoted to the ITFS project by our system personnel over a five-year period. It is important to note that there are other frequencies that could accommodate 3-G. Therefore, our system must take immediate action to oppose the 3-G threat.

President Lancaster has approved this action plan, as has Dr. Bruce Howell, Chairman of the Wireless Communications Consortium Steering Committee. Please carry out your part of the plan without delay. THE DEADLINE FOR FILING COMMENTS WITH THE FCC IS FEBRUARY 22. CONTACTS WITH CONGRESSIONAL DELEGATES SHOULD BE MADE WELL IN ADVANCE OF THAT DATE.

We have agreed to take the following action steps and ask you to do your part.

1. System Office staff will be responsible for asking President Molly Broad, President Martin Lancaster, and State Superintendent Mike Ward to write letters to the FCC on behalf of their systems. These three educational leaders will be asked to use their organizational, political, and personal contacts in Washington to defeat 3-G’s effort to take the ITFS frequencies. They may want to seek out one member of the delegation to organize the delegation’s efforts.
2. The chairpersons in each of the twelve markets, in consultation with his/her president and campus chairpersons, should draft a letter to be sent to the FCC opposing 3-G, with copies to their congresspersons and senators from each of the twelve markets. The letter should be signed by every school superintendent, every community college president, and every university chancellor in that market.

Each of the twelve television markets is organized for the purpose of developing applications/utilization plans. Those plans, originally intended to be used in negotiations with WONC for retaining a certain amount of bandwidth, should also be used as comments to the FCC showing what we would lose if they reallocate our spectrum to 3-G.

3. Each president should use her/his access to her/his congresspersons and senators, urging them to oppose the 3-G raid on ITFS.
4. Each college that is a member of the Wireless Communications Consortium should pay \$1,000 dues so that we may again retain the services of Robert Rini. We need his services badly, not only to assist us in the negotiations with WONC, but also in the lobbying effort to defend against the 3-G raid on ITFS. The dues should be sent to Bruce Howell at Wake Tech.

We have been told by FCC staff that 59 identical letters to the FCC have little or no impact. Therefore, you will want to localize your communications by telling some unique ways in which ITFS will be used to promote the well being of your college and service area. As we see it, the statewide issues are described in the section entitled "Shared Vision." It is important, however, that you describe these issues in your own words and writing style. The person who has done your applications/utilization plan can help in this area. That plan should be included as a part of your comments to the FCC.

Federal Communications Commission Contact List

Letters should be separately addressed in separate envelopes and copies sent where indicated. The address in each case is: *Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554*. Room numbers are needed only for staff.

Chairman Michael K. Powell

cc: Peter A. Tenhula, Senior Legal Advisor
Office of Chairman Michael L. Powell

Commissioner Susan Ness

cc: Mark Schneider, Senior Legal Advisor
Office of Commissioner Susan Ness

Commissioner Harold Furchtgott-Roth

cc: Bryan Tramont, Legal Counsel
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Commissioner Gloria Tristani

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