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## Senate Confirmation Hearings Scheduled For Genachowski and McDowell

The United States Senate Commerce Committee has scheduled confirmation hearings to begin June 16, 2009 for proposed FCC Chairman Julius Genachowski. Hearings regarding the re-nomination of current FCC Commissioner Robert McDowell are scheduled to begin on the same date. Confirmation hearings for Mignon Clyburn, nominated to replace outgoing Commissioner Jonathan Adelstein, have not yet been scheduled.

## 30 MHz Proposal for Utilities/CII

Many of you know that the Utilities Telecom Council (UTC) and Edison Electric Institute (EEI) have asked the FCC to help re-allocate 30 MHz of spectrum at 1800-1830 MHz for utility and other critical infrastructure industry use to support smart grid and other critical infrastructure applications. K&H already has filed Comments on behalf of the American Petroleum Institute explaining the need for additional spectrum for oil and gas and other critical infrastructure industry use. In light of the new leadership of the FCC and the agency's focus on a national broadband policy, K&H recommends that utilities and other CII companies express support for a CII spectrum allocation. Given the shortage of available spectrum and compelling critical infrastructure needs, we believe that strong arguments can be made for dedicating 30 MHz to critical infrastructure use and we encourage your support. If you are interested in joining an FCC filing to support this issue, please contact Tom Magee ([magee@khlaw.com](mailto:magee@khlaw.com); 202-434-4128).

## Pole Attachment Subsidy Explained

In Comments prepared by K&H and filed last week in the FCC's Broadband Notice of Inquiry Proceeding, the *Coalition of Concerned Utilities* explained how electric utility pole owners have facilitated nationwide broadband development by providing unwarranted government-mandated subsidies of up to \$10 million per year to communications attachers for every 500,000 pole attachments. The *Coalition* also repeated its calls for unauthorized attachment and safety violation penalties to curb irresponsible attacher behavior. A copy of the *Coalition's* Comments is available by clicking [here](#). For additional information, please contact Jack Richards ([richards@khalw.com](mailto:richards@khalw.com); 202-434-4210) or Tom Magee ([magee@khlaw.com](mailto:magee@khlaw.com); 202-434-4128).

## DTV Transition Concludes

On Friday, June 12, 2009, all full-power television stations in the United States ceased analog transmissions and began digital broadcasts. FCC Commissioners hailed the transition as largely successful. Although hundreds of thousands of calls were received to the FCC's national help line, many inquiries involved the operation of converter boxes and were resolved through "re-scanning" channels. The FCC stated that it will continue to work over the upcoming weeks and months to assist consumers that continue to encounter reception problems.

## For further information or assistance regarding these matters, please contact any of the following Keller and Heckman LLP Telecommunications or Business Attorneys:

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