

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC. 20554**

In the Matter of

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)	
Revision of Part 15 of the)	ET Docket No. 98-153
Commission's Rules)	
Regarding Ultra-Wideband)	
Transmission Systems)	

To: The Commission

**COMMENTS of Nickolaus E. Leggett
N3NL Amateur Radio Operator**

The following are comments from Nickolaus E. Leggett, an amateur radio operator, inventor, patent holder, and a certified electronics technician. I am also a supporter of radio astronomy research including amateur radio astronomy conducted in residential areas, and professional radio astronomy conducted in more remote areas.

If the Commission decides to go ahead with ultra-wideband (UWB), it should issue a new Notice of Proposed Rulemaking (NPRM) to consider specific rules for the operation of ultra-wideband wireless devices. Indeed, several NPRMs would be desirable to accommodate the greatly different operating conditions of specific ultra-wideband applications. At least one new NPRM is needed because the engineering studies conducted and presented have indicated that UWB operation can cause interference to existing users of the radio spectrum.

In addition, the Administrative Procedure Act requires that specific rules be presented for public review and comment before the rules are implemented. This is a basic aspect of American democracy that is central to the legitimacy of communications regulation by the

Federal Communications Commission. If this requirement is ignored by the Commission, there will probably be legal challenges to the new UWB rules, and the rules may be disallowed by the courts.

Also the interests of radio astronomy are not represented in this proceeding. Much of radio astronomy is wide bandwidth reception of weak signal sources. This activity could be greatly inhibited by the operation of millions of UWB wireless devices in consumer products. Amateur radio astronomy research could be effectively ended by UWB operation in residential areas. This would be unfortunate because amateur radio astronomers are conducting worthwhile research such as radio astronomy physical observations as well as the search for extraterrestrial intelligence (SETI) coordinated by the SETI League (433 Liberty Street, P.O. Box 555, Little Ferry, N.J. 07643 www.setileague.org). Amateur radio astronomers (and professional radio astronomers) should be allowed to examine the proposed specific rules for UWB operation so that they can recommend any changes that may be needed to protect radio astronomy research.

We must make sure that the regulatory process is fair to all parties including the individual amateur scientist and experimenter as well as the large corporations. Thank you for your consideration of these comments.

Respectfully submitted,

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