

Please accept the following comments in response to NOI 03-104 regarding BPL technology deployments. As an active Amateur Radio operator, I would like to express my gravest concern over this matter and ask that the process of trials and FCC authorization of mass deployments be reconsidered until adequate measurements and technical arguments by the Amateur community and the American Radio Relay League have been heard by the Commission.

It is apparent that BPL trials and early deployments have been conducted without suitable representation by the Amateur Radio community's assistance in ensuring that no interference to Amateur receivers will be caused by BPL systems. Studies in other countries have shown that BPL can and does cause HF interference, and in fact was enough for the Japanese Ministry of Public Management, Home Affairs, Posts and Telecommunications to prohibit the deployment of BPL in that country on frequencies between 2 and 30 MHz, "due to hazardous effects on HF users".

Please consider the following:

1. If BPL is to operate under the auspices of Part 15, please update this regulation to ensure absolutely no RF interference to Amateur receivers can occur from such systems.
2. It is the FCC's responsibility to protect users of the radio frequency spectrum, of which Amateurs are a very important user group, providing much needed emergency and disaster communications for our country. In particular, the Commission needs to ensure the spectrum 2-30 MHz is protected.
3. This should not be regarded as a balancing act between commercial interests and the desire for additional broadband access options, and Amateur Radio. Amateurs are currently a licensed service which depends on the HF spectrum to conduct critical communication in support of our country, and must be placed ahead of commercial interests.
4. BPL, with its use of power lines as potential radiating devices, or large antennas, has the potential to cause high levels of HF interference and this needs to be studied for a period of at least 2 years before mass deployments should be sanctioned by the Commission.
5. Power distribution systems in the U.S. are already known to cause interference to HF receivers where such systems are poorly maintained. It is a known fact in the Amateur community that power companies have a poor track record of responding to such complaints by Amateurs, and BPL has the potential to magnify this problem. Any new regulations must contain provisions which require BPL service providers to respond quickly to any Amateur Radio interference complaints, and to completely eliminate such interference.