

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

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| In the Matter of |) | |
| |) | |
| Interference Immunity Performance Specifications for Radio Receivers |) | ET Docket No. 03-65 |
| |) | |
| Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television |) | MM Docket No. 00-39 |
| |) | |

To: The Commission

REPLY COMMENTS OF PCIA, THE WIRELESS INFRASTRUCTURE ASSOCIATION

PCIA, the Wireless Infrastructure Association (“PCIA”), by its attorneys and pursuant to Section 1.415 of the Commission’s Rules,¹ hereby files reply comments in response to the Commission’s Notice of Inquiry² for the captioned docket. The Commission is seeking comment on incorporating receiver interference immunity performance specifications into its spectrum policy. As discussed below, PCIA supports the comments filed by the Telecommunications Industry Association (“TIA”), E.F. Johnson Company (“E.F. Johnson”) and Motorola, Inc. (“Motorola”). PCIA opposes mandatory receiver standards because mandatory standards in the long run will stifle innovation and reduce spectrum efficiency. Instead, PCIA supports voluntary standards. However, to the extent the Commission decides to impose mandatory receiver standards, PCIA urges a long transition period so that small businesses can recover their investment in legacy equipment.

¹ 47 C.F.R. § 1.415. All references to the Commission’s rules are cited at 47 C.F.R. §§ 0.1 *et seq.*

² FCC 03-54, released on March 24, 2003.

I. PCIA

Founded in 1949 in the spirit of creating new industries, PCIA has a distinguished history of helping build many key companies that comprise the wireless telecommunications sector. From its beginnings in land mobile radio to paging and messaging, and from personal communications services (“PCS”) to tower and antenna siting, PCIA has been instrumental in facilitating the emergence and growth of core wireless services.

Since the inception of frequency coordination committees in 1970, PCIA has processed hundreds of thousands of applications for licenses and coordinated more of the nation’s spectrum than virtually any other coordinating committee. PCIA was the original coordinator for the Business Radio Service and is currently one of several coordinators in the Business/Industrial/Land Transportation (“B/ILT”) pool and one of two coordinators of the frequencies that were formerly part of the Special Emergency Radio Service (“SERS”).

II. Discussion

TIA, E.F. Johnson and Motorola all support voluntary rather than mandatory receiver standards. For example, in its comments, TIA makes the following observation:

[R]eceiver manufacturers are continuing voluntarily to make significant improvements in their products, particularly in the area of interference immunity, indoor reception, and multipath signal handling capabilities. Therefore, TIA questions the need for mandatory receiver requirements. As the Commission has noted in the past, regulations may be needed when the market place fails to address a critical problem. In this instance, however, TIA believes that no record evidence exists to merit such action.³

TIA adds that equipment manufacturers who are motivated by market demands will be in the best position to develop voluntary, industry standards. Both TIA and Motorola suggest that if

³ Comments of TIA, July 21, 2003, at 2.

the Commission ultimately decides to impose receiver standards, the standards should be based on industry definitions. For private land mobile radio services this is TIA/ANSI 102 and 603.⁴

Similarly, in its Comments, E.F. Johnson Company (“E.F. Johnson”) explains that the marketplace is highly competitive, and product performance, including receiver specifications, can be a product differentiator. E.F. Johnson states:

Technology improvements that may result in receiver performance improvements are being made, and will continue to occur in the future. Mandating requirements based on current state-of-the-art may result in a stifling of innovation. Industry standards development organizations, in contrast, meet regularly and update their standards periodically. The result is a standard that is up-to-date with current technology.

* * *

[I]n many markets, the cost of the highest specification products may not be justified by the application. In many sparsely populated areas, interference may not be an issue. In some applications the reliability of the communications may not be paramount. In such applications the availability of less expensive products may be more desirable. As such, the requirements of the market, as opposed to mandated technical requirements, may result in more economical products. Mandated technical requirements, on the other hand, will tend to drive the cost of equipment higher.⁵

Like TIA, E.F. Johnson and Motorola, PCIA supports voluntary rather than mandatory receiver standards. PCIA is concerned that mandatory receiver standards will force manufacturers to design equipment based upon today’s technology and will stifle technical innovation – innovation that can lead to higher quality transmission and reception as well greater spectrum efficiency. Moreover, voluntary receiver standards permit the user to make a choice. If the user’s priority is to avoid interference, the user can choose to obtain equipment with high receiver immunity – equipment that is likely to be expensive. On the other hand, if the user is

⁴ *Id.* at 3; Comments of Motorola, July 21, 2003, at 7.

⁵ Comments of E.F. Johnson, July 21, 2003, at 2-3; *see also* Comments of Motorola at 6-7.

operating in any area where there is little interference (such as a rural area) or is otherwise less concerned about interference, the user can choose to obtain less expensive equipment with less immunity from receiving interference.

However, if the Commission decides to go down the path of imposing mandatory receiver standards, PCIA is concerned about the disruptive and economic effect on those who have purchased equipment prior to the implementation of such standards. Motorola states:

The potential benefits of uniform receiver performance must be weighed against the impact to licensees and users in any transition. Accordingly, sufficient time must be provided to allow a transition taking into consideration the normal receiver turnover rate.⁶

PCIA agrees. Many of the private land mobile radio users are small businesses that depend upon their systems in their day to day activities. It would cause a substantial financial hardship to require a trade out of equipment before such users have had an opportunity to amortize their investment in their radio equipment. Therefore, PCIA suggests that any imposition of receiver standards include a phase out period of at least ten years for legacy equipment. In other words, users of legacy equipment should be afforded interference protection under the current standards, even if their equipment does not meet the new receiver standards, for a period of at least ten years after the effective date of any Commission order adopting mandatory receiver standards.

III. Conclusion

The competitive marketplace has resulted in, and will continue to result in, the development of transmitting equipment that causes less interference and receiving equipment that is less susceptible to interference. On the other hand, the imposition of mandatory receiver standards could result in freezing the technology based upon today's state of the art designs. To avoid this problem, PCIA supports voluntary rather than mandatory receiver performance

⁶ Comments of Motorola at 11.

standards. However, to the extent the Commission decides to impose mandatory receiver performance standards, PCIA urges the Commission to adopt a long transition period for legacy equipment in order to prevent users, including small businesses, from expending considerable resources to replace equipment prior to the end of such equipment's useful life.

Respectfully submitted,

PCIA, the Wireless Infrastructure Association

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