

Before the Federal Communications Commission
Washington, D. C. 20554

In the matter of ET Docket No. 03-104
Inquiry Regarding Carrier Current Systems, including
Broadband Over Power Line Systems

REPLY COMMENT: In response to the United Power Line Council's
(UPLC) submission of July 7, 2003: p. 12, in which UPLC wrote with
regards to access BPL systems and the Part 15 Rules:

B. Interference

" In this proceeding, the FCC inquires concerning the potential for interference from BPL systems under the existing Part 15 emission limits,²⁹ and it inquires whether the existing measurement procedures are appropriate.³⁰ The UPLC is pleased to respond that there has been no interference reported in any of the field trials by its members. These trials have been conducted in accordance with the existing Part 15 limits and measurement procedures.³¹ In many cases, the FCC has assisted in the test measurements that have been taken. The experience gained from this process indicates that BPL systems comply with the Part 15 limits, and that the existing rules protect licensed users against interference from BPL systems. If anything, the existing rules may be too stringent and unnecessarily limit the range of BPL, but certainly the emission limits do not need to be reduced to prevent interference. As such, the UPLC provides its responses to certain issues raised by the FCC with respect to interference and the measurement standards for emissions from BPL systems."

Reply:

It is difficult to understand the UPLC comment that "If anything, the existing rules may be too stringent...." "Stringent" is an adjective which modifies "rules." Such a modifier is wholly unnecessary in applying Part 15 rules, for the purpose of Rule 15 is to assure that Part 15 applications do not in any way damage the FCC's licensed services. Protecting the licensed services requires the application of Part 15 rules to whatever degree necessary. Is it the idea of UPLC that the FCC should relax Part 15 to such a degree that BPL damages the licensed services? That's wholly illogical for it undermines the intention of the rules. Permitting reduced protection for the licensed services is like, to coin a phrase, being a little bit pregnant; either the licensed service is protected or it is not. Until the licensed services are wholly protected, BPL must be deferred.

The UPLC was " pleased to respond that there has been no interference reported in any of the field trials by its members." The UPLC attempted to validate its claim by asserting that "the FCC has assisted in the test measurements that have been taken."

Reply: One must question the true validity of those "field trials," where they were taken and under what circumstances and conditions. The proof of the pudding is in the eating, and the proof of the potential RFI of BPL can be found in field tests

carried out by Ed Hare, W1RFI, of the American Radio Relay League. I urge the Commissioners (and UPLC) to visit the following website of the ARRL and click on the BPL video button: <http://www.arrl.org/news/stories/2003/08/08/2/?nc=1> This MPEG will provide an audio understanding of the interference that BPL can create. Such a racket will denigrate the amateur radio service to the point of being useless in areas where these power lines run. [Note: I am a radio amateur, W9WUU, licensed over fifty years.]

While I am concerned about damage to the amateur radio service, one must keep in mind the many other services which will be affected by strong interference from BPL, Indeed, I am astonished that government agencies such as the State Department or the Defense Intelligence Agency and the U. S. military, in general, all using these frequencies, would even allow for a moment any sort of technology that would impair their ability to operate in a world as fraught with potential harm to the U. S. as things presently stand.

Radio amateurs and other users of HF and VHF have thousands of dollars invested in equipment. Should that investment become damaged or useless due to imprudent decisions to allow BPL without the most "stringent" application of Part 15, I would assume such an action could lead to class action suits for damages.

How much is known about the radiation of RF over power lines? Who will be the end payer of costs incurred by corporations pushing for BPL when it becomes necessary repair the damage that is done to licensed services?

All together, I believe that the FCC will be justified in preventing the introduction of BPL until it can be proven beyond a doubt that it will have absolutely no effect on existing services.

Sincerely,

George H. Shands
Madison, Wisconsin