

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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

**SIA'S OPPOSITION TO MSSI'S PETITION FOR RECONSIDERATION**

The Satellite Industry Association ("SIA") hereby opposes Multispectral Solutions, Inc.'s ("MSSI") Petition for Reconsideration of the Commission's Memorandum Opinion and Order in this proceeding.<sup>1</sup> As explained below, MSSI provides no basis for its proposal to permit operation of any and all low PRF UWB devices in the 3.1-10.6 GHz bands.

I. INTRODUCTION

SIA is a national trade association representing the leading U.S. satellite manufacturers, service providers, and launch service companies. SIA serves as an advocate for the commercial satellite industry on regulatory and policy issues common to its members. With its member companies providing a broad range of manufactured products and services, SIA represents the unified voice of the commercial satellite industry.<sup>2</sup>

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<sup>1</sup> *Revision of Part 15 of the Commission's Rules Regarding Ultra-Wideband Transmission Systems*, Memorandum Opinion and Order and Further Notice of Proposed Rule Making, FCC 03-33, ET Docket No. 98-153 (rel. Mar. 12, 2003) ("MO&O and FNPRM").

<sup>2</sup> SIA Executive Members are: The Boeing Company; Globalstar, L.P.; Hughes Network Systems, Inc.; ICO Global Communications; Intelsat; Lockheed Martin Corp.; Loral Space & Communications Ltd.; Mobile Satellite Ventures; Northrop Grumman Corporation; PanAmSat Corporation; and SES Americom, Inc. SIA Associate Members are: Inmarsat, New Skies Satellites Inc, and Verestar Inc.

From the outset of this proceeding, SIA has supported the Commission's goal of facilitating the development of UWB technology. At the same time, SIA has urged the Commission to take into account the potential for UWB devices to interfere with fixed and mobile satellite systems.<sup>3</sup>

**II. THE COMMISSION SHOULD MAINTAIN ITS CURRENT LIMITS ON LOW PRF UWB DEVICES IN THE 3.1-10.6 GHZ BAND.**

MSSI urges the Commission to "permit any type of UWB device employing a low PRF to operate in the 3.1-10.6 GHz bands."<sup>4</sup> It rests this request for a radical reworking of the newly-developed UWB rules on the Commission's alleged "misinterpretation" of technical data furnished by the NTIA.<sup>5</sup> Because there is substantial evidence in the record of the potential harmful effect of low PRF UWB devices in the 3.1-10.6 GHz band, however, the Commission should deny MSSI's petition.

In its previous filings in this docket, SIA has demonstrated that allowing UWB communications devices to operate at peak levels as high as 0 dBm/50 MHz in the 3.1-10.6 GHz band would expose FSS earth station receivers operating in the C-band to harmful interference.<sup>6</sup> The Commission has nonetheless allowed such uses, reasoning that the permitted hand-held and communication-type devices would likely have low peak to average EIRP differences and,

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<sup>3</sup> Comments of the Satellite Industry Association (filed September 12, 2000); Petition for Reconsideration of the Satellite Industry Association (filed June 17, 2002); Petition for Reconsideration of the Satellite Industry Association (filed May 22, 2003); SIA Reply Comments to Further Notice of Proposed Rule Making (filed Aug. 20, 2003).

<sup>4</sup> MSSI Petition for Reconsideration at 11.

<sup>5</sup> *Id.* at 1.

<sup>6</sup> *See, e.g.*, Petition for Reconsideration of the Satellite Industry Association (filed May 22, 2003).

consequently, a low probability of interference with FSS earth stations. The SIA has urged reconsideration of this conclusion.<sup>7</sup>

Allowing the use of “any type of UWB device employing a low PRF in the 3.1-10.6 GHz bands,” as MSSSI suggests, would dramatically increase the risk of harmful interference. Such systems use lower PRF levels where the peak EIRP is significantly higher than the average EIRP, resulting in increased interference into the earth station receiver. For this reason, the Commission’s should not disturb its conclusion, based on objective technical studies, that “low PRF UWB systems can have a higher potential for causing interference than . . . high PRF UWB systems.”<sup>8</sup> Moreover, allowing “any Low PRF UWB device,” as MSSSI advocates, would likely lead to deployment of a significant number of devices. This ubiquity, coupled with the potential for mobility of these devices, would compound their already considerable risk of harmful interference to FSS earth stations. Consequently, the Commission should not revisit its previous decision to exclude such uses from the 3.1-10.6 GHz band.

Finally, given the early stage of UWB development and deployment, the real-life effects of UWB devices are still unknown. In view of this limited record and the uncertainty surrounding the effect of devices the Commission has already permitted in this band, it would be premature and imprudent for the Commission to expand the permissible uses of the band.

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<sup>7</sup> *Id.*

<sup>8</sup> MO&O and FNPRM at ¶154.

**III. CONCLUSION**

For the foregoing reasons, MSSSI's Petition for Reconsideration should be denied.

Respectfully submitted,

SATELLITE INDUSTRY ASSOCIATION

A handwritten signature in black ink, appearing to read "Richard DalBello". The signature is stylized with large, bold letters and a cursive flourish at the end.

By: \_\_\_\_\_

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September 4, 2003

## CERTIFICATE OF SERVICE

I hereby certify this 4th day of September 2003 that I caused a copy of the foregoing to be served by first-class mail as follows:

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Candace Gentry