

## **BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**

in re: *Broadband over Power Lines*

*Notice of Proposed Rulemaking 03-104 and 04-37*

Much has been said already about the interference that BPL will cause throughout the amateur radio community as well as other services. The purpose of this comment is not to attack or discredit the technology, but to insure that if interference is generated, that there be a quick and effective way to stop it.

Any company that is permitted to set up a BPL system in an area is going to spend a significant amount of money marketing the service, purchasing and installing the equipment, making it operational and keeping it working. Should that system cause objectionable interference to duly licensed amateur radio operator(s) in the area, the BPL operating company will probably elect to resist shutting the system down, solely to protect their investment. The ensuing legal battle would be something that only the lawyers could enjoy.

Also since the power lines are unshielded, an amateur radio operator using reasonable power near the power lines would almost be assured of getting into the BPL system, frustrating subscribers.

The thrust of my comment is to suggest to the Commission that to generate a generic regulation that "if the BPL operator causes interference, he must immediately shut it down" will not be practical if the BPL company has a substantial investment and a potentially large customer base. Therefore, I would urge the Commission to very carefully consider this problem and construct a means by which BPL interference, if it occurs, can be immediately curtailed and that the BPL operating companies be restricted from using the Court system to frustrate efforts to make them comply.

Thank you for your consideration,

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