

## **Access BPL Comments (04-37)**

### **To the Commission:**

Thank you for the opportunity to comment on this matter. I will attempt to discuss several issues that I believe to be quite important to the resolution of this rulemaking procedure.

### **Economic Issues**

I have heard Access BPL deployment glowingly described as a way to insure broadband Internet access to all American, especially those in rural areas, down to the 'last mile' of electric utility lines. I seriously question that electric utilities have any intention of actually doing that.

I live in a rural area. My residence is at the end of the 'last mile.' My electric utility actually had to extend a primary line to reach me. My nearest neighbor is approximately one-half mile away. His nearest neighbor is approximately another quarter mile away. As I understand it, Access BPL deployment, even with increased Part 15 emission limits, will require installation of amplifiers every half mile or so. Thus, to serve my residence and those of two neighbors will require installation and maintenance of two amplifiers. I doubt any company would see that as economically feasible.

### **Exemption From Part 15**

It appears as well that the proposed relaxation of Part 15 emission limits is driven by economic concerns, rather than technical necessity, in that it would ease deployment costs – specifically the installation and maintenance of amplifiers along the line.

While Access BPL advocates ask for an increase in – or exemption from - Part 15 emission limits, there are – as the Commission notes – sound technical arguments that can be made to lower those limits. The Commission should, at this time, exercise prudent caution and leave the Part 15 emission limits untouched, and grant no exemption to Access BPL. It is an issue that requires long study and the derivation of empirical evidence that will be available if Access BPL is deployed under the current limits.

### **Interference to Access BPL Service**

As an amateur radio operator, I am well aware that my transmitted signals are quite capable of disrupting Access BPL service at quite some distance away, due to my ability to use up to 1,500 watts power output and directional, high gain antenna systems. This raises a significant potential for conflicts with neighbors. For amateurs who live in urban environments, it becomes not a potential, but a certainty!

Conflicts over service disruption can become quite bitter, very time-consuming, and possibly expensive. The Commission can and should incorporate a simple, definitive measure to prevent such troubles. Each Access BPL customer should be required to sign a statement that they have read and understand that their broadband service is subject to interference and disruption by licensed radio frequency users, including public safety and amateur radio operators, and that customers have no recourse if that occurs. This statement should be a separate document, in large type, that Access BPL utilities would be required to keep on file.

### **Interference From Access BPL**

The Commission has wisely incorporated a proposal to require adaptive mitigation and 'shut-down' techniques in the event Access BPL operations result in harmful interference to licensed radio frequency users. However, further work is needed.

The Commission should implement regulations to specify a specific procedure to quickly handle interference complaints on a 24/7 ('round the clock') basis, setting strict time limits for Access BPL to remove the reported interference – either through mitigation or shut-down, and requiring that each mitigation or shut-down that results from an interference complaint or report must be reported to the Commission.

Mitigation becomes virtually meaningless if reported harmful interference is allowed to continue unabated for days, weeks, or months while some cumbersome process is undertaken to resolve it. The Access BPL companies have advised the Commission that they are able to handle such things 'on-the-fly,' and they should be strictly held to that.

Respectfully submitted,

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