

To the Commission:

Thank you for the opportunity to comment on this important NPRM. Widespread availability of broadband internet services to the general public is important, however I feel that Access BPL is the wrong approach. My main concern is for harmful interference, both out of and into Access BPL systems. I believe it has been sufficiently demonstrated by materials already submitted in this and related actions, and will be supported by the pending NTIA study, that there are significant harmful interference issues relative to Access BPL.

I believe the Commission has recognized this potential, however the rules modifications proposed in this NPRM are insufficient. I respectfully draw the Commission's attention to the ITU Radio Regulations, Article 15, Section II:

"15.12 § Administrations shall take all practicable and necessary steps to ensure that the operation of electrical apparatus or installations of any kind, including power and telecommunication distribution networks, but excluding equipment used for industrial, scientific and medical applications, does not cause harmful interference to a radiocommunication service and, in particular, to a radionavigation or any other safety service operating in accordance with the provisions of these Regulations."

As an ITU Member nation, the United States is bound by these regulations. I believe that the operative phrase above is: "does not cause harmful interference". Not that any resulting interference can be mitigated, upon complaint, but that these systems do not cause harmful interference in the first place.

I submit that:

1. There is sufficient evidence in the record that most of the Access BPL systems as they exist today do, in fact, cause harmful interference across wide swaths of spectrum, potentially affecting many radiocommunications services.

2. The rules changes as proposed do not constitute "all practicable and necessary steps to ensure that the operation of electrical apparatus or installations of any kind, including power and telecommunication distribution networks...does not cause harmful interference to a radiocommunication service..."

Therefore, in light of the United States' obligations under the International Radio Regulations, I strongly urge the Commission to reconsider it's recommendations on rules applicable to Access BPL systems.

Thank you for the opportunity to comment upon this important NPRM.

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