

To the FCC Commissioners:

As you consider final Part 15 rules changes concerning BPL service, please ensure that a critical assessment is made of the results of field testing of BPL service, such as that being conducted in Raleigh, North Carolina by Progress Energy Corp. (“PEC”). Some of the dialogue recently attributed to PEC regarding their testing is alarming.

A key issue with respect to the PEC service test, and any other field test, is whether the Commission will use the test as the rationale for granting BPL service providers the right to produce interference at some arbitrary level that would be considered “acceptable.” Some BPL service providers (such as PEC) may admit that their service creates interference to other communications services, but then argue that because the level of such interference is not sufficient to totally prevent communications it therefore should not be considered as “harmful”. BPL service providers must not be given the authority to define or interpret what is “harmful interference” to other licensed services.

Interference that prevents or masks other communications under weak signal level conditions is certainly harmful under those particular circumstances. If the variables that affect HF/low-VHF communications could be controlled such that signal levels were always well above any BPL interference level, that would be fine. Unfortunately, that is not possible.

Would BPL providers agree to accept circumstances where energy from other licensed services interfered with BPL service, but did not prevent or mask all the BPL service? I think not. The Commission must simply face reality here. If BPL service interference prevents communications by other licensed services under any conditions, it must be considered harmful. Anything less than that subordinates all other licensed services to BPL service, which the Commission cannot accept as its ultimate objective. It would be akin to saying that removing one of a person’s arms may interfere with his activities, but is not harmful because it doesn’t totally disable him.