

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

In the Matter of)
)
Amendment of Parts 1, 2, 22, 24, 27, 90) WT Docket No. 10-4
and 95 of the Commission’s Rules to Improve)
Wireless Coverage Through the Use of)
Signal Boosters)

To: The Commission

**REPLY TO OPPOSITION TO
PETITION FOR CLARIFICATION AND/OR RECONSIDERATION**

The Enterprise Wireless Alliance (“EWA” or “Alliance”), in accordance with Section 1.429(a) of the Federal Communications Commission (“FCC” or “Commission”) rules and regulations, filed a Petition¹ in which it requested clarification or reconsideration of three aspects of the Report and Order in the above-identified proceeding.² It raised no objections to the substantive rules adopted by the Commission and agreed that measures designed to prevent interference from signal boosters, including the registration of the devices, were appropriate. It fully supported all obligations associated with boosters deployed after the date of the Order. However, it explained that very large companies with many facilities around the county would need to conduct inventories of those locations to determine what, if any, signal boosters had been installed in them and then collect the information needed to register them. It is exclusively embedded equipment that was of concern to the Alliance’s members. EWA therefore recommended that the FCC: (1) establish November 1, 2014 as the deadline for registering both

¹ Enterprise Wireless Alliance Petition for Clarification and/or Reconsideration, WT Docket No. 10-4, filed May 13, 2013 (“Petition”).

² Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission’s Rules to Improve Wireless Coverage Through the Use of Signal Boosters, *Report and Order*, WT Docket No. 10-4, 28 FCC Rcd 1663 (rel. Feb. 20, 2013) (“Order”).

consumer and industrial signal boosters; (2) define at the outset the information required for registration; and (3) establish an FCC-managed database listing all signal boosters that comply with the Network Protection Standard adopted in the proceeding. These modest changes all are intended to enhance compliance with the new requirements by providing large businesses a reasonable amount of time to inventory and register what could be thousands of embedded devices based on a defined standard for the information to be registered.

Both the Ad Hoc Telecommunications Users Committee (“Ad Hoc”) and the National Association of Manufacturers and MRFAC, Inc. (“NAM/MRFAC”) endorsed EWA’s Petition. Each of these organizations represents corporate enterprise users that will face the very challenges identified by the Alliance. They agreed that large organizations would need time to gather the information needed to register signal boosters, data that heretofore had not been maintained because there was no requirement to do so. They recognized the difficulty of having to comply with multiple registration deadlines, deadlines that could be established at the discretion of individual commercial carriers upon only 90 days notice and without certainty regarding the information that would be needed.

Two parties opposed the EWA Petition. The Partial Opposition filed by Verizon Wireless (“Verizon”) acknowledged the issues that prompted the Petition and attempted to craft alternatives to the relief requested by the Alliance. With regard to the timing of the deadlines, Verizon proposed that enterprise entities unable to register their signal boosters within the 90-day window established by a carrier should request waivers that the FCC could consider on a case-by-case basis. It addressed the need for defining the data needed for registration by suggesting that a registration could not be rejected if it provided the minimum information required in the rules, while leaving carriers free to request additional information that could be provided on a voluntary basis. Verizon did not object to EWA’s request for an FCC database of

approved signal boosters but questioned its utility stating that equipment that meets the new Network Protection Standards will be so labeled.

By contrast, CTIA – The Wireless Association® (“CTIA”) unleashed a fusillade of objections, a response wildly disproportionate to the measured relief requested by EWA. Unlike Verizon, it offered no recognition of the practical issues that large enterprise users will face in complying with a regulatory scheme that they support – not oppose. In fact, EWA has not submitted a “proposal to further prolong the interference environment created by unauthorized consumer signal boosters.”³ EWA members are substantial users of commercial wireless networks and are affected by interference on those networks just like all other subscribers. They rely on public safety services that also can be adversely impacted by those rare, but exceedingly problematic, instances when consumer signal boosters cause interference to emergency provider systems. The Alliance agrees that new boosters should be labeled and registered as required by the rules. It also supports registration of already deployed boosters – even those that have never caused interference, which is the vast majority of units in service. The issue is establishing a reasonable path that will allow enterprise users sufficient time to provide carriers with accurate information about those long-embedded devices, an objective EWA would have expected CTIA to support.

Verizon has suggested that the current rules regarding registration deadlines be maintained and that enterprise customers seek waiver relief if they cannot meet the 90-day schedule for any particular carrier.⁴ The Alliance appreciates this effort to craft a solution, however waiver requests are not without effort and risk for their proponents and impose a burden on the FCC. Depending on when each carrier starts its 90-day clock, a single enterprise

³ CTIA Opposition at 5.

⁴ EWA’s concerns in this regard are not speculative. Members already have begun the inventory process and have determined that it will require a very substantial, time-consuming effort.

company might have to file and the Commission would have to rule on multiple waiver requests.

Rather than establishing an uncertain and burdensome waiver process, the Alliance believes it is preferable to establish a single deadline for registering all already deployed signal boosters, both consumer and industrial. November 1, 2014 is only eight months later than the March 1, 2014 date already adopted by the FCC and only five months later than the 90-day closing of that window.⁵ This relatively modest difference will result in a more accurate registration process, which is the primary objective of the proceeding.

With regard to the information that must be registered, EWA agrees with Verizon's suggestion that the minimum information specified in the rules should be the baseline for acceptance of a consumer booster registration, although carriers would be free to seek additional data to be provided voluntarily. Again, the Alliance's concern is not with the information sought for signal boosters deployed after adoption of the Order. Experience may prove that additional data is useful in minimizing interference and EWA's members will provide all reasonably requested registration data. The issue was the need for certainty about the information that needs to be collected when inventorying boosters that already are in operation.

Both Ad Hoc and NAM/MRFAC supported EWA's request that the FCC establish a database of signal boosters that comply with the Network Protection Standard. Once units are labeled, this information will be less important, although still useful. However its more meaningful utility will be to determine whether already deployed equipment meets that standard, since this equipment was purchased and placed into operation prior to the labeling requirement. Vendor claims that particular equipment complies with the standard could be verified easily by

⁵ CTIA's hyperbolic claim that EWA's proposal "would strip wireless providers of th[e] discretion provided to them...by establishing a November 1, 2014 registration deadline regardless of how early a wireless provider makes its registration process available to customers" is simply incorrect. Wireless carriers would be free to open their registration process whenever they choose. The proposal would simply extend the date at which the registration process for embedded equipment would close.

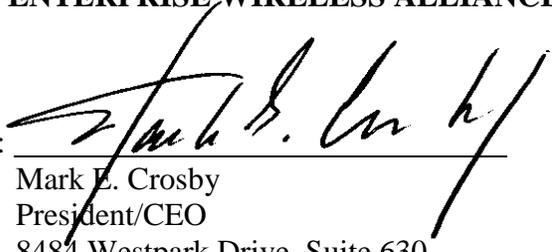
accessing such a database.

Finally, CTIA need not concern itself about what it described as EWA's "implication that existing boosters can simply be 'grandfathered' into compliance through the registration process alone."⁶ A less overwrought reading of the Petition would have confirmed that the Alliance has a clear understanding of the carrier consent requirement:

As explained in the Order, a number of service providers have committed voluntarily to allow their subscribers to use signal boosters that meet the newly adopted Network Protection Standard. The Order states further that subscribers will not need to secure individual consent from providers that have made such commitments provided that the devices meet that standard.⁷

EWA supports the FCC's actions to address interference caused by improperly designed, installed, and/or operated signal boosters. It believes that the practical considerations of inventorying and registering the substantial numbers of embedded consumer signal boosters operated by large enterprise companies addressed herein can be accommodated without compromising the objectives of this proceeding.

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July 1, 2013

⁶ CTIA Opposition at 7.

⁷ Petition at 7 (cites omitted).

CERTIFICATE OF SERVICE

I, Linda J. Evans, with the law firm of Lukas, Nace Gutierrez and Sachs, LLP, hereby certify that I have, on this 1st day of July, 2013 electronically mailed the foregoing Reply to Opposition to Petition for Clarification and/or Reconsideration to the following:

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Your submission has been accepted

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Proceeding		
Name	Subject	
10-4	Wireless Telecommunications Bureau seeks comments on petitions regarding the use of signal boosters and other signal amplification techniques used with wireless services.	
Contact Info		
Name of Filer: Enterprise Wireless Alliance		
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Zip: 22102		
Details		
Small Business Impact: NO		
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Document(s)		
File Name	Custom Description	Size
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