

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

**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, respectfully requests clarification or reconsideration of certain provisions in the Report and Order in the above-identified proceeding.<sup>1</sup> For the reasons detailed herein, the Alliance requests that the Commission modify its rules to establish a uniform deadline for registering all Consumer and Part 90 Class B Signal Boosters in operation as of the February 20, 2013 date of the Order. Further, it requests that the FCC clarify what registration information is required for embedded signal boosters in those two categories and provide an online database of already certified devices that meet the Consumer Signal Booster Network Protection Standard specified in FCC Rule Section 20.21(e).

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<sup>1</sup> 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*, 28 FCC Rcd 1663 (rel. Feb. 20, 2013) (“Order”).

## I. INTRODUCTION

EWA is a national trade association representing business enterprises, wireless sales and service providers, hardware and software system vendors, and technology manufacturers. Members of the Alliance hold FCC authorizations in numerous spectrum bands and in various radio services. A number of its members are very large enterprise companies that use both Consumer and Part 90 Class B Signal Boosters to improve wireless coverage in their businesses.<sup>2</sup>

In this proceeding, the Commission has adopted rules intended to balance the ability of the public, whether individual consumers or other entities, including public safety providers, to enhance wireless coverage in difficult-to-serve areas while protecting all users from degraded service caused by improperly designed, installed, or operated signal boosters. One of the key components of the rules is a registration process for both Consumer and Part 90 Class B Signal Boosters, including those that are already deployed and may have been so for many years. EWA supports the registration of these devices, but the FCC may have underestimated the effort and the amount of time needed to comply with this new requirement with regard to equipment already in use.

Signal boosters in varying forms have been used to extend wireless coverage for decades. The Alliance recognizes that these devices sometimes have caused interference problems that can prove extremely difficult to resolve, largely because it can be complicated and time-consuming to track down the source of the interference. As wireless communications play an increasingly critical role in every aspect of our lives and in the economic well-being of the nation, preventing or resolving such situations takes on even greater importance. The procedures

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<sup>2</sup> Many members also sell, install, and maintain other Industrial Signal Boosters for customers but the issues raised in the instant Petition do not relate to those devices.

adopted in the Order should help in this effort and, going forward, should be relatively easy for users of the devices to implement.

The difficulty arises when these requirements are applied to the non-interfering embedded devices used by large enterprise companies without consideration to the time needed to achieve compliance.<sup>3</sup> For example, one EWA member is a worldwide organization with more than 2600 facilities in the United States alone and a very large fleet of vehicles. It does not maintain centralized records of the number, type, or location of signal boosters that have been deployed in those facilities or vehicles because that information has not heretofore been required by any governmental entity.<sup>4</sup> It anticipates its nationwide audit to determine what devices are deployed in which locations will reveal a full range of Consumer and Industrial Signal Boosters, some number of which will require registration. It has begun this audit process, but, as discussed below, is concerned that the current rules could present obstacles to timely compliance with the Consumer Signal Booster registration requirement. It also is concerned that it not have to repeat this audit vis-à-vis embedded equipment should either a carrier, with regard to Consumer Signal Boosters, or the Wireless Telecommunications Bureau (“WTB”), with respect to Part 90 Class B Signal Boosters, expand the required registration information. A number of EWA’s larger enterprise members face these same difficulties. Therefore, reconsideration or clarification of the following requirements is requested.

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<sup>3</sup> All operators of devices should continue to cooperate promptly with carriers and other licensees in any situation where a signal booster is believed to be causing interference.

<sup>4</sup> Of course, EWA members operating Industrial Signal Boosters, including those operated under FCC Rule Section 90.219, must meet the FCC requirements for obtaining a license or licensee consent for the frequencies being retransmitted.

## II. RECONSIDERATION/CLARIFICATION REQUEST

### A. Establish a Single Registration Deadline for All Embedded Signal Boosters

The Commission has set November 1, 2014 as the date by which licensees and operators will be required to register existing Class B signal booster installations. The Order explains that this will provide adequate time for the WTB to conduct public outreach about the new requirement, develop the website where the devices will be registered, and secure regulatory approval of its process.<sup>5</sup> EWA believes that this deadline is reasonable both for the WTB to accomplish its tasks and for large enterprise entities to complete their own internal audits that will identify the Class B equipment that requires registration. Nonetheless, the FCC should be aware that depending on when the database is made available and the number of embedded Class B signal boosters that must be registered, it is possible that not all will be captured in the database by November 1, 2014, despite the best efforts of the WTB and Class B signal booster operators.

The rules governing registration of Consumer Signal Boosters present even greater challenges. First, they do not establish a specific registration date. Rather they direct commercial service providers that have voluntarily consented to the use of Consumer Signal Boosters on their networks to establish a free registration mechanism for their subscribers **no later than** March 1, 2014. Service providers that have not consented by that date must establish a registration mechanism with 90 days of consenting to such use.<sup>6</sup> While it is possible that the databases for all consenting service providers will be made available on March 1, 2014, it also is possible that each will be established on a different date between now and March 1, 2014. Thus,

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<sup>5</sup> Order at ¶ 165.

<sup>6</sup> *Id.* at ¶ 106.

entities that are subscribers of multiple providers are likely to have different deadlines for registering their embedded devices with only 90 days notice of each.<sup>7</sup>

The registration rules may work well prospectively. They also may not prove overly burdensome for subscribers with a small number of existing signal boosters that receive service from only a single provider and, therefore, will have a single 90-day window within which to register their devices. Large enterprise users with significant numbers of Consumer Signal Boosters spread across the nation could be faced with multiple registration deadlines depending on the service provider. If a provider were to announce the opening of its registration window in the next few weeks, those users likely would not have completed their audits and be able to register the devices within 90 days. If the registration windows were to open closer to the March 1, 2014 deadline, their ability to collect the information needed to comply will be increased, albeit not assured, but having to register different equipment in different databases in a compressed time period likely will lead to errors and omissions.

Instead, EWA recommends that the FCC establish a single registration deadline for all equipment already deployed as of the date of the Order, whether Consumer or Class B Signal Boosters.<sup>8</sup> Since the Commission has determined that the WTB could need until November 1, 2014 to complete its work, the Alliance suggests that the deadline be that same date.

Much of this equipment has been in place for years, even decades, without being identified as a source of interference. The Alliance agrees that it should be registered and that registration should be as prompt as possible. Operators of both types of already deployed signal

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<sup>7</sup> Although the text of the Order states that consumers will have 90 days to register existing boosters after being notified of the registration process by a service provider, Order at ¶ 129, there is no such grace period provision in the rules. This should be corrected so that subscribers can determine from the rules themselves what is required for compliance rather than having to locate that exception from the registration rules in the text of a lengthy FCC document.

<sup>8</sup> Subscribers deploying signal boosters between the date of the Order and the date that the registration databases become available are on notice that registration will be required and should have ready access to the information currently identified as required to register these devices.

boosters should be free to and even encouraged to register as soon as they have the information to do so. However, having multiple, uncertain deadlines depending on the service provider and the type of embedded equipment will work against the FCC's objective of establishing complete and accurate databases of both existing and newly deployed equipment. The modest extension of the current registration provisions to create a single, consolidated deadline will serve the FCC's objectives and the public interest.

B. Clarify the Registration Information That will be Required for Embedded Devices

As described above, a number of EWA members will need to audit numerous large facilities and even nationwide operations, both fixed and vehicular, to locate signal boosters that have been deployed over decades. Because the task is substantial, time-consuming and should not have to be undertaken more than once, it is essential that entities know all information that must be collected to register these existing devices. However, the Order identifies only what it describes as the "minimum" data that will be needed for registering both Consumer and Class B Signal Boosters. For the former, the FCC defines the minimum information the service provider must collect as (1) the name of the Consumer Signal Booster owner and/or operator; (2) the make, model, and serial number of the device; (3) the location of the device; and (4) the date of initial operation.<sup>9</sup> The Commission has stated that the minimum data required for Class B Signal Boosters will be (1) the operating range; (2) the location of the device; and (3) contact information for the device operator.<sup>10</sup>

With the exception of the date of initial operation, which simply may be unknowable for some embedded Consumer Signal Boosters, the rest of the information should be obtainable. But entities that will have to audit hundreds or even thousands of locations need to know at the

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<sup>9</sup> Order at ¶ 106.

<sup>10</sup> *Id.* at ¶ 163.

outset that the information they are collecting is all the information that will be required to register these devices. It would not be reasonable to require them to conduct a second audit should a service provider or the FCC decide at some later date that additional data would be desirable. Fine-tuning the registration information may be reasonable on a prospective basis. Experience may teach that additional data should be collected about to-be-deployed devices to better protect against potential interference. The FCC should confirm, however, that signal boosters that were in operation prior to adoption of the Order need provide only the data identified in the Order, and not necessarily the date of initial deployment for Consumer Signal Boosters, to register successfully and achieve compliance with the FCC rules.

C. Establish an FCC Database of Signal Boosters that Meet the Network Protection Standard

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.<sup>11</sup> 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.<sup>12</sup> Since securing such consents could be extremely time consuming for entities that operate numerous types of devices on numerous systems that now will need to be registered, these voluntary commitments are appreciated.

The FCC could further facilitate this process, however, by establishing an easily accessible database of signal boosters that meet the Network Protection Standard. This could be modeled after the very useful database developed by the FCC that enabled parties to determine whether their wireless microphones operated at 700 MHz and, thus, whether they could continue

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<sup>11</sup> *Id.* at ¶ 21.

<sup>12</sup> *Id.*

to be used after June 2010. The Wireless Microphones – Manufacturers Equipment List is easy to locate on the FCC’s website and user-friendly even for the relatively uninitiated.

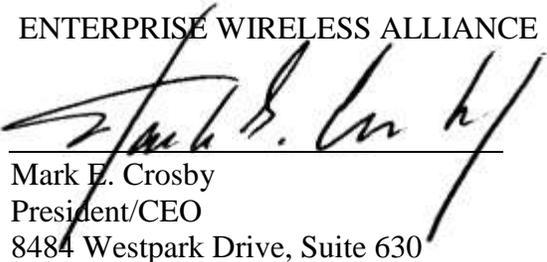
At the moment, to the best of the Alliance’s knowledge, the only way to determine which devices do and do not meet the Network Protection Standard would be to have a technical expert examine the FCC certification for the particular piece of equipment. That could be a time-consuming and relatively costly process for signal booster operators to undertake individually. Instead, the FCC should make that information readily available so that subscribers know if they need to pursue specific consent, at least for those service providers that have made the voluntary commitment.

### **III. CONCLUSION**

The Alliance supports all FCC efforts to minimize interference in our increasingly congested spectrum environment, including its decision to require registration of certain signal boosters. EWA urges the Commission to adopt the changes to the registration process detailed herein, which will promote the development of complete and correct signal booster databases in a reasonable timeframe.

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