

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
)	
Modification of Parts 2 and 15 of the Commission's)	ET Docket No. 03-201
Rules for Unlicensed devices and equipment approval.)	
)	

REPLY COMMENTS OF IEEE 802.18

IEEE 802.18, the Radio Regulatory Technical Advisory Group (“the RR-TAG”) within IEEE 802¹ hereby submits its Comments in the above-captioned Proceeding. This document was prepared and approved unanimously by the RR-TAG, and also was reviewed by the IEEE 802 Executive Committee.²

The members of the RR-TAG that participate in the IEEE 802 standards process are interested parties in this proceeding. We appreciate the opportunity to provide these comments to the Commission.

IEEE 802.18 has reviewed the comments filed by Sirius in response to the NPRM and wishes to specifically address their comments on out of band emissions limits for Part 15 devices.

¹ The IEEE Local and Metropolitan Area Networks Standards Committee (“IEEE 802” or the “LMSC”)

² This document represents the views of IEEE 802.18. It does not necessarily represent the views of the IEEE as a whole or the IEEE Standards Association as a whole.

**THE COMMISSION HAS PREVIOUSLY CONSIDERED, AND REJECTED, THE
SAME REQUEST**

1. With respect to Sirius' request that the out of band emissions limits for Part 15 devices be lowered, we believe that this subject has been previously considered by the Commission and that no new information has been submitted by Sirius in its reply comments in this proceeding that would merit further consideration of this question by the Commission.
2. A review of the record on this issue supports dismissing the proposal made by Sirius. In fact, this issue was specifically addressed by the Commission in the 2nd Report and Order in ET Docket No. 99-231 ("the R&O"), where the Commission specifically denied a virtually identical proposal. The Commission stated in the R&O that no change in the limits was justified and that any future action would have to be addressed on a case-by-case basis addressing specific interference issues. Additionally, the Commission stated that no proposed changes would be made until sufficient information was available to justify such changes. The comments as filed do not fulfill the Commission's stated requirements on this subject.

**SIRIUS HAS FAILED TO DEMONSTRATE THE NEED FOR THE RELIEF
REQUESTED**

3. IEEE 802.18 questions the need for lower emission limits to protect the SDARS. The Commission has previously stated in previous rulings that the existing out of band emission limits were more than adequate to protect other services including emergency and public safety services. Therefore the existing emission limits should be more than adequate to protect an entertainment service such as SDARS.
4. In fact the record supports the conclusion that the current limits are adequate to protect the SDARS. Currently, SDARS receivers are being installed in a variety of environments, with no reports of interference, including in newer vehicles equipped with 2.4 GHz Bluetooth devices for hands free cell phones.

5. To the best of our knowledge, there have been no reported and verified cases of Part 15 device interference into SDARS receivers. In fact, the SDARS operator's own advertising refutes their claim of a significant risk of interference,³ since it clearly shows SDARS receivers being used in a modern office environment with a wide variety of Part 15 devices operating in close proximity.

SIRIUS' REQUEST IS BEYOND THE SCOPE OF THIS PROCEEDING

6. Furthermore, the scope of the instant NPRM is to address specific streamlining issues under Part 2 and Part 15 of the rules. The proposal by Sirius neither provides any streamlining of the Part 15 rules nor any cost savings to manufacturers and consumers. In fact, it would have the opposite effect by requiring additional testing and unnecessary, costly redesign of virtually the entire gamut of existing Part 15 devices.

7. Therefore, we believe Sirius' request for changes to out of band emission limits is out of scope with regard to the instant NPRM, and therefore should not even be considered by the Commission in the context of the instant proceeding.

**SIRIUS' PROPOSAL WOULD RESULT IN UNNECESSARY INCREASED COSTS TO
USERS OF ALL TYPES OF PART 15 DEVICES WITH NO PROVEN NEED OR
DEMONSTRABLE BENEFIT**

8. If the proposal was adopted it would have a very costly and detrimental effect on the Part 15 community overall. Manufacturers from computer makers and network equipment makers to RLAN and Bluetooth wireless device makers would be required to re-engineer their products to comply with the new emission limits, adding significantly to the cost of products used by 10's (or 100's) of millions of consumers. Further the proposal does not, and cannot reasonably, address current products already in the field.

³ Current advertising of SDARS for home or office do not have any disclaimers stating that the SDARS receivers will not work in a wireless office.

9. Because there is simply no compelling evidence in the public record to support changing the existing Part 15 out of band emissions limits – which the Commission has determined to be adequate to protect SDARS and a plethora of other services, we believe that the relief requested by Sirius is unjustified.

SUMMARY AND CONCLUSION

10. Based on all of the above-stated facts, IEEE 802.18 respectfully asks the Commission to deny the relief sought by Sirius in their reply comments in the instant proceeding as they pertain to the out of band emission limits for Part 15 devices.

Respectfully submitted,

/s/

Carl R. Stevenson
Chair, IEEE 802.18 Radio Regulatory Technical Advisory Group
4991 Shimerville Road
Emmaus, PA 18049
carl.Stevenson@ieee.org