



PUBLIC NOTICE

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DA 19-211

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**OFFICE OF ENGINEERING AND TECHNOLOGY SEEKS COMMENT ON
AUSPION USA, INC. REQUEST FOR WAIVER OF ISM “LOCAL USE” REQUIREMENT IN
PARTS 2 AND 18 FOR A 24 GHZ WIRELESS POWER TRANSFER DEVICE OVER
DISTANCE**

ET Docket No. 19-83

Comment Date: April 25, 2019

Reply Comment Date: May 10, 2019

On January 3, 2019, Auspion, Inc. (Auspion) filed a request for waiver of the Commission’s rules to allow Auspion to obtain a grant of equipment authorization for the marketing and operation of a non-consumer system using transmission of wireless power over distance. Auspion’s “WiPod” system would operate in the 24 GHz Industrial, Scientific and Medical (ISM) frequency band (24.000-24.250 GHz) to provide power to, and/or charge, receivers located at various distances from the transmitter.

Section 18.107(c) of the rules defines ISM devices as “[e]quipment or appliances designed to generate and use locally RF energy for industrial, scientific, medical, domestic or similar purposes, excluding applications in the field of telecommunication.”¹ A consistent definition for ISM “applications” is contained in Section 2.1 of the rules.² These rules do not provide a precise specification for “local use” conditions, whether by distance, frequency, or power.³

Auspion requests that the Commission waive the “local use” condition, as specified in the ISM definition, to allow its ISM system to operate at distances greater than 1 meter (3 feet) between the transmitter and receivers, as long as the transmitted power is directed to very precise locations, called “power spots,” where the receivers reside.⁴ Auspion states that it plans to market this system exclusively for industrial, retail and enterprise applications, such as charging industrial robots, warehouse-based drones, and smartphones in conference rooms.

The Office of Engineering and Technology seeks comment on waiving Parts 2.1 and 18.107(c) of its rules in furtherance of Auspion’s request.⁵ Auspion submitted its waiver request electronically

¹ 47 CFR § 18.107(c).

² 47 CFR § 2.1.

³ Restricting radio frequency (RF) energy to “local use” in ISM devices serves to prevent high-power RF energy from reaching outside the immediate vicinity of the RF transmitter, which performs “work” (non-communication functions) by operating at unlimited power within the ISM frequency bands that are listed in 47 CFR § 18.301.

⁴ Auspion states that the average powering/charging distance will be around 3 to 5 meters, although the distance could be higher when charging devices such as security cameras.

⁵ Although Auspion specifically identifies Section 18.301 of the rules, we interpret its request as seeking a waiver of both instances where an ISM definition appears in our rules – Sections 18.301 as well as Section 2.1.

through the Commission's Electronic Comment Filing System (ECFS) as a non-docketed filing in FCC INBOX-1.3 (Petition for Waiver (miscellaneous)). In conjunction with the opening of ET Docket 19-83, the Commission moved the filing into this docket. Parties should file all comments and reply comments in ET Docket 19-83.

OET has concluded that, to develop a complete record on the issues presented by this request, this proceeding will be treated, for *ex parte* purposes, as a "permit-but-disclose" in accordance with Section 1.1200(a) of the Commission's rules, subject to the requirements under Section 1.1206(b).

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Parties should also send a copy of their filings to Anh Wride, Office of Engineering and Technology, Federal Communications Commission, Room 7-A363, 445 12th Street, SW, Washington, DC 20554, or by e-mail to anh.wride@fcc.gov.

Documents are available for viewing on ECFS, <http://www.fcc.gov/cgb/ecfs>, by entering the docket number. These documents are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554.

By the Chief, Office of Engineering and Technology

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