Before the Federal Communications Commission

Washington, D.C. 20554

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| In the Matter of  Office of Engineering and Technology  seeks comments on modifying the  Equipment Authorization Rules to reflect the updated versions of the currently referenced ANSI C63.4 and ISO/IEC 17025 standards | ) ) ) ) ) ) )  )  ) | ET Docket No. 19-48 |

COMMENTS ON THE PROPOSED RULE CHANGE

International Business Machines Corporation (IBM) respectfully submits the following comments in response to the Federal Communications Commission’s (FCC’s or the “Commission’s”) request for comments on updating the Commission’s rules and procedures to reflect recent changes to two standards incorporated by reference: ANSI C63.4 and ISO/IEC 17025. IBM appreciates the opportunity provided by the Commission to comment on the proposal to adopt the latest editions of these standards into the Equipment Authorization Rules and fully supports the Commission’s on-going efforts and activities to gather opinions from stakeholders affected by the Rules.

IBM commends the Commission for seeking comments from affected stakeholders before making any final decision regarding the incorporation of the recent changes to ANSI C63.4 and ISO/IEC 17025.

**Introduction**

IBM has a long history of innovation and invention under the Commission’s rules for the authorization of radiofrequency (RF) devices, dating back to the expansion of the rules to include digital devices in 1981. Prior to that date, IBM had its own internal requirements limiting RF emissions from our products to reduce the risk of interfering with communications systems and other electronic equipment. IBM personnel developed the site attenuation methodology that is the basis for the acceptance criteria applied to test facilities used for measuring radiated emissions from RF devices at frequencies of 30 to 1000 MHz in accordance with the Commission’s Rules. The breadth of products to which we have applied the rules ranges from physically small devices, such as notebook computers, to large servers, mainframes, and storage systems housed in multiple equipment racks. IBM has operated multiple test facilities located in several countries for many years. IBM’s comments on the present rule proposal are based on our vast experience and support of the Commission’s rules and policies over these many years.

**Incorporating ISO/IEC 17025:2017(E) into the FCC’s Rules**

IBM fully supports the Commission’s proposal to incorporate ISO/IEC 17025:2017(E) into the Commission’s rules and adopting a three-year transition period, consistent with the ISO and ILAC joint communique on this standard. Doing so will help keep the Rules aligned with international norms and practices, thereby limiting associated burdens and cost of compliance for manufacturers whose equipment is subject to the Rules, test organizations who must keep their measurement facilities and operations compliant with the Rules, and ultimately US consumers who purchase and use products subject to the Rules.

**Incorporating ANSI C63.4a-2017 into the FCC’s Rules**

IBM does not agree with the Commission’s proposal to incorporate ANSI C63.4a-2017 into the Commission’s rules. The modifications to the normalized site attenuation procedures used for validation radiated emission of test sites introduced in this amendment are significant technical changes from existing procedures required by the Commission. Adopting these changes would place substantial economic and operational burdens on owners and operators of test labs utilized for measurement of radiated emissions required for authorizing radio frequency devices according to the Commission’s Supplier’s Declaration of Conformity (SDoC) or Certification procedures. These burdens would include redesign and expensive retrofit of existing test facilities; purchase of new antennas; modifications to existing lab validation procedures; and implementation of duplicate lab validation procedures – one set for the USA and another set for all other countries with emission regulations that require site validation according to CISPR 16-1-4:2010. In some cases, test labs that are currently being used for testing unintentional radiators for compliance with the Commission’s rules would not be able to continue doing so because retrofit to meet the new ANSI normalized site attenuation procedures could not be implemented.

To IBM’s knowledge, the existing normalized site attenuation procedures of ANSI C63.4-2014 do not in any way contribute to radio frequency devices interfering with communication systems or adversely affect any element of the Communications Act or the Commission’s responsibilities under the Communications Act. Implementing a change to the Rules that creates such significant burdens on affected stakeholders as described in the paragraph above is not justified.

If the Commission decides to adopt ANSI C63.4a-2017, IBM respectfully requests that a transition period of five years or longer be implemented and that the use the normalized site attenuation procedure of CISPR 16-1-4:2010 be allowed as an alternative. A five-year transition period would be needed to allow test labs requiring retrofit to satisfy the new requirements the time needed to complete the process of redesigning their labs, secure funding to pay for the retrofit, enter into an acceptable arrangement and contract with a reputable contractor who could perform the retrofit, and execute the reconstruction of their facilities. CISPR 16-1-4:2010 is accepted internationally and is currently referenced by the Commission to qualify test labs used for testing radiated emissions at frequencies between 1 GHz and 40 GHz. Test labs complying with the normalized site attenuation requirements of CISPR 16-1-4:2010 would be perfectly positioned to provide measurement data sufficient for equipment authorization and the prevention of interference consistent with the Commission’s rules for radio frequency devices.

IBM appreciates the opportunity to comment on this proposal and is grateful to the Commission for its thoughtful consideration of these comments and opinions. IBM looks forward to any further discussion in which the Commission may want to engage on this matter.

Respectfully submitted,

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