



November 21, 2014

Marlene H. Dortch
Secretary
Federal Communications Commission
455 12th St. SW
Washington DC 20554

EX PARTE in Amendment of Parts 0, 1, 2, and 15 of the Commission's Rules Regarding Authorization of Radiofrequency Equipment and Amendment of Part 68 Regarding Approval of Terminal Equipment by Telecommunications, ET Docket No. 13-44

Dear Secretary Dortch:

Cisco Systems previously filed comments in the above-captioned docket, and by this letter, updates the status of standards development since the comment round. As a preliminary matter, Cisco notes that the record in this proceeding is highly supportive of the Commission's proposals with very little dissent among commenting parties. Cisco urges the Commission to resolve the docket as quickly as possible, in order to further streamline equipment approvals, the use of 3rd party entities for testing and certification, and enable the agency to focus its work on the most important aspects of certification and testing.

With respect to revised technical standards governing the conduct of testing that are now being reviewed for adoption as part of the docket, several changes have occurred since the comments were filed, in particular IEEE ANSI C 63.4 (2009) and IEEE ANSI C 63.10 (09). As the Commission is well aware, adoption of test standards do not affect any product compliance requirements as specified in 47 CFR Part 15 of the FCC rules, as these are simply procedures for testing products for compliance with FCC rules and requirements. The changes we wish to highlight are:

- C63.4 (03), promulgated more than 10 years ago, will likely be withdrawn and no longer supported. As such the reference to an outdated standard in the Commission's rules will be unsupportable as the standard could no longer be available.
- With respect to the use of C 63.4 (03) for testing radio products, the test methods are out of date for a number of newer technologies. As a result, the Authorization and Evaluation Branch has developed additional guidance for testing various wireless products to take into account test methodology needed for newer broadband wireless equipment operating under Part 15. The

Committee's latest version, C.63.4 (14), is the most up-to-date of the testing standards, and reflects the Commission's guidance.

- Similarly, the Commission has published a significant number of "Knowledge Data Base" guidance documents since the release of C 63.10 (09), which the standards committee has now incorporated into C 63.10(13).

Cisco supports the adoption of test standards developed by Independent Standards Development Organizations because these represent the best thinking of a broad set of industry participants who have worked to find consensus positions that support a wide range of products. Cisco encourages the Commission to adopt C 63.4 (09) and C 63.10 (13) with a 2 year transition period. Further we encourage the Commission to consider adopting C 63.4 (14) with a longer transition period of 5 years as changes in some of the requirements will take more time to implement, both for manufacturers and the broader testing community.

In addition, Industry Canada has recently published RSS-Gen Revision 4, which is the Canadian product test standard. This standard references the use of C 63.4 (14) and C 63.10 (13) for testing both intentional and unintentional radio products. US adoption of the referenced standards will allow harmonization of test standards of licensed exempt products being developed for sale throughout North America. Adoption of the latest test standards therefore aligns to the Commission's goals of creating internationally harmonized regulations for manufacturers.

Cisco is aware that some industry participants are concerned that older product lines may not be able to pass the latest version of the tests, possibly forcing expensive changes in product or, in the worse case, discontinuance of product. However, the Commission's rules, specifically Section 15.31, allow the use of alternate test methods providing that the manufacturer can justify the use of them. Cisco would therefore urge the Commission to specifically note this issue when it drafts the Report and Order, and indicate its view that alternative test procedures can be proposed for older products that cannot realistically be tested to the new standards. There is no need to freeze technical standards in time, when improved standards, developed by Industry (with full participation of the Authorization Branch) and based on Commission guidance documents, are available for bulk of the equipment being placed into the market today.

Cisco also reiterates its support for a 2-year phase-in period for the test rules to become mandatory, with a longer phase in for C 63.4 (14). A 2-year period is adequate and has been used by the Commission in the past for adoption of standards such as IEEE 1528 for SAR testing and IEEE ANSI C 63.19 for Hearing Aid Compatibility. Moreover, the Commission's 2009 Public Notice¹ allowed the use of C 63.10 (09) and C 63.4(09), and therefore the industry has had five years to migrate to the newer test versions and make any adjustments needed to their procedures or even their products to pass the updated tests. Therefore a 2-year period for use of the updated version of the (09) standard is not a burden on manufacturers or test labs. If the Commission waits till 2020, as suggested by some parties, to adopt the (09) versions of

¹ FCC Public Notice, DA 09-2478, released Nov. 25, 2009 allowing use of C 63.4 (09) and C 63.10 (09) to demonstrate compliance of Part 15 products.

the standards, the standards will be 11 years out of date, with a very good chance that the standards will have been substantially revised in the interim.

Respectfully submitted,

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