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Regarding the "PETITION FOR DECLARATORY RULING OR, IN THE ALTERNATIVE, FOR RULEMAKING" filed by the American Hotel & Lodging Association, Marriott International, Inc., and Ryman Hospitality Properties (RM-11737) I offer the following comments:

The Petitioner's request seems suspect given the exorbitant rates their hotels charge for broadband service. In a world where wireless broadband is offered for free by everything from restaurants to car dealerships as a customer-experience enhancement, the fact that hotels still attempt to charge per day nearly what some home broadband providers charge per month is ludicrous, and this request for ruling or rulemaking is clearly nothing more than a cynical attempt to eliminate choice at the expense of consumers. Anyone who has hosted a conference or coordinated a tradeshow booth at a hotel can tell stories of cabled Ethernet feeds costing over \$1,200 per day, and other broadband pricing schemes which are radically out of touch with prevailing market rates.

The Petitioner points out that "Section 333 was intended to address the Commission's concern about interference to certain types of radio communications services, namely: (i) 'amateur, maritime, and citizens band radio' services". The segment 2.390 to 2.417 GHz is allocated in the US to amateur radio on a primary basis, and amateur radio operators have begun to adopt and use technologies such as HSMM-Mesh and Broadband-Hamnet which leverage and extend the capabilities of commercial and consumer Wi-Fi access points. These Wi-Fi access points, operated by primary users on amateur frequencies, are clearly protected by Section 333.

Therefore any system deployed by the hotel & lodging industry that is allowed to interfere with Wi-Fi usage on the aforementioned overlap frequencies is potentially in direct violation of the letter and spirit of Section 333, because such a system would have no way of knowing if the equipment is operating under Part 15 or Part 97. For that reason alone, this Petition should be denied, unless the FCC intends to strip radio amateurs of their primary user status in the overlap frequencies.

I know that I speak not only for myself but for other amateur radio operators when I strongly urge the FCC to deny this Petition, protect the spectrum of radio amateurs in the US, and not hand the hotel & lodging industry a de facto monopoly over outrageously overpriced broadband on their properties.

Respectfully submitted,

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