

60001012002.txt

American Hospitality & Lodging Association, Marriott International, Inc., and Ryman Hospitality Properties (collectively, "Petitioners") seek a declaration that "the operation of FCC-authorized equipment by a Wi-Fi network operator to manage its network on its premises does not violate Section 333, even though such operation may 'interfere with or cause interference to' a Part 15 device being used by a guest on the operator's property."

In its hubris, Petitioner fails to comprehend that being a "guest" on Petitioner's property has no legal relevance to the instant matter. Additionally, Petitioner fails to grasp that operating a "Wi-Fi network" on its premises does not grant Petitioner any right whatsoever to deny the operation of other Wi-Fi networks on the same premises. Petitioner does not mention the technical impossibility of limiting the impact of the remedy it seeks to its own premises. And lastly, the potential for harm to Petitioner's Wi-Fi network arising from nefarious overlapping networks is, frankly, a red herring. Every Wi-Fi user in the United States accepts such a possibility every day. There is no outcry among Wi-Fi users for intervention by a third party to provide a technical defense -- and particularly not a technical defense that only Dr. Strangelove could approve.

The petition is motivated transparently by Petitioner's desire to preserve a revenue stream for itself.

The Commission has always reserved unto itself the enforcement of its rules. This is a wise policy that the Commission should retain in this instance.