

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of )  
 )  
Amendment of Parts 0, 1, 2, 15 and 18 of ) ET Docket No. 15-170  
the Commission’s Rules regarding )  
Authorization of Radiofrequency Equipment )  
 )  
Request for the Allowance of Optional ) RM-11673  
Electronic Labeling for Wireless Devices )

**TCB COUNCIL COMMENTS**

1. The Telecommunication Certification Body (TCB) Council is pleased to provide comments in response to Public Notice , DA 16-348, released on April 1, 2016, entitled, *Comments sought on newly published ANSI C63.26-2015<sup>1</sup> – Standard in conjunction with ongoing equipment authorization rulemaking proceeding ET Docket No. 15-170.*<sup>2</sup> Specifically, the Notice is seeking comments on two questions: (1) Whether the FCC should incorporate C63.26-2015 into the FCC Rules by reference; and, (2) what to do with the current measurement procedures now in Part 2 and other various sections of the Rules. These comments are in addition to the TCB Council comments submitted in this proceeding on February 22, 2016.

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<sup>1</sup> ANSI C63.26-2015, entitled, “*American National Standard for Compliance Testing of Transmitters Used in Licensed Radio Services*,” was adopted by the America National Standards Institute in December 11, 2015 and published on January 15, 2016. IEEE/ANSI C63.26-2015 may be purchased at website: <http://www.techstreet.com/searches/11408794>.

<sup>2</sup> Published in Federal Register at 81 FR 23267, 4/20/16. Comments and reply comments requested by 15 and 25 days after publication in Federal Register.

2. The TCB Council is an association of Telecommunication Certification Bodies, which include TCBs, manufacturers and test laboratories. The Equipment Authorization (EA) proceedings in this rulemaking have a direct and important impact on TCB Council members. We applaud the Commission's efforts to modernize and update the EA Rules. As the record in this proceeding shows, the TCB Council and others (e.g., The American Standard Committee C63®, CISCO Systems, Alcatel-Lucent, and Telecommunications Industry Association/TRPC) support and encourage the adoption of volunteer industry standards like C63.26 into the FCC Rules by reference, similar to what has been done with C63.4-2014 and C63.10-2013. All three of these standards were developed by a collaboration of manufacturers, test laboratories, certification bodies and government entities (including the FCC and Industry Canada) and represents the latest methods for consistent compliance testing of transmitters operating without an individual license under Part 15 and licensed transmitters operating under other FCC Rule Parts. All three standards have been approved first by the American Standard Committee, C63®, on Electro-magnetic Compatibility and then by the American National Standards Institute by open and transparent processes.
  
3. The TCB Council filed late comments on February 22, 2016 to urge the Commission to adopt the use of C63.26 for the testing of licensed transmitter, at the earliest possible date. Adoption of this new standard, by "incorporation by reference" will provide for more consistent compliance testing and reports of test results of licensed transmitters. It should

also be mentioned that Industry Canada has already adopted the use of C63.26.<sup>3</sup>

4. The Public Notice also seeks comments to determine what, if anything, should be done with the existing measurement procedures in the FCC Rules, which are scattered throughout the Rules. The development of C63.26 was an attempt to pull together many of the procedures in the Rules, Knowledge Data Base (KDB) interpretations and similar documents containing measurement procedures. Each of the procedures were vented and discussed by the C63® committee. For practical reasons, the scope of C63.26-2015 was limited to licensed transmitters using digital techniques. Measurement procedures for broadcast transmitters, ground base radars, fixed microwave equipment, satellite communication equipment, and marine and aviation equipment are not included in the scope of the current edition of C63.26.<sup>4</sup> While it may be difficult to revise, delete or update measurement procedures currently in the FCC Rules, since C63.26 does not include procedures for all types of licensed equipment, it would be helpful to industry if the Commission would provide cross-reference in the rules or a KDB to the procedures in C63.26, where appropriate.
  
5. A short list of applicable measurement procedures in the FCC Rules, which are essentially updated by C63.26-2015, include, but not limited to: §2.910, §2.947, §2.1041, §§2.1046-2.1057, §22.359, §22.917, §24.232(d), §24.238, §27.50(d)(5), §27.53(a)(5), (h)(3) & (m)(6), § 24.238, § 90.543, and §90.1215(d). Some or parts of these procedures were incorporated into the ANSI standard. However, there is a concern that it may be premature to rescind, delete or revise some of the existing FCC measurement procedures, since as mentioned the

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<sup>3</sup> See Industry Canada website at <http://www.ic.gc.ca/eic/site/mra-arm.nsf/eng/ni00139.html>

<sup>4</sup> See Scope in subclause 1.1 of C63.26-2015.

C63.26 does not cover all licensed equipment. However, to be helpful to the Commission, the TCB Council offers the following recommendations for changes to specific sections of the FCC Rules:

- a. **§2.910 Incorporation by reference** – add a new subsection (c)(3) to read: “ANSI C63.26-2015, *American National Standard of Procedures for Compliance Testing of Transmitters Used in Licensed Radio Services*, ANSI approved December 11, 2015, IBR approved for §2.950(i).” (Transition time has to be added in §2.950)
- b. **§2.947 Measurement procedure** – revise subsection (a)(2) by adding at the end of the sentence: “See §2.910 for standards incorporated by reference or list of standards and KDB publications located on the FCC Office of Engineering and Technology website for guidance on acceptable measurement procedures .” Also add a new subsection (f) to read: (f) “For each technical requirement in this Chapter, the test report shall provide adequate test data to demonstrate compliance for the requirement, or in absence of data, justification acceptable to the Commission as to why test data is not required to show compliance.” This addition is consider necessary to ensure some consistency of test data and/or justifications, when there may be good and reasonable justification for reducing the amount test data to be reported. The Commission may want to provide guidance on when justification is acceptable in a KDB.<sup>5</sup>
- c. **2.1041 Measurement procedure** – At the end of the 2<sup>nd</sup> sentence add: “(See §§2.910 and 2.947 for acceptable procedures).”

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<sup>5</sup> The Knowledge Data Base the Commission’s system for providing guidance to the public for testing and approval of equipment subject to the FCC Rules. See <https://apps.fcc.gov/oetcf/kdb/index.cfm>.

d. **On the FCC website/OET/Equipment Authorization/Measurement Procedure**

**page** – recommend adding ANSI C63.26-2015 to the list of General EMC and Radio Equipment Measurement Procedures”

6. In summary, the TCB Council applauds the Commission’s effort to update and modernize the Equipment Authorization rules and procedures. We support the use and incorporation of industry standards in the FCC Rules by reference. Specifically, we support the inclusion of C63.26-2015 in §2.910 of the rules and the OET Equipment Authorization Measurement Procedures website. A suggested list of cross-references is provided for the Commission’s consideration.

Respectfully submitted by,

Michael Derby, Chairman  
TCB Council

TCB Council, Inc.  
3040 Carlee Run Court  
Ellicott City, MD 21042

Cc: Art Wall  
506 Bay Drive  
Stevensville, MD 21666