

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Amendment of Parts 2 and 95 of the) ET Docket No. 99-255
Commission's Rules to Create a)
Wireless Medical Telemetry Service)

Comments of Itron, Inc.

Itron, Inc. ("Itron"), hereby comments on the Notice of Proposed Rulemaking (the "NPRM") issued in the above-referenced proceeding on July 16, 1999. In the NPRM, the Commission proposes to allocate spectrum and establish rules for a Wireless Medical Telemetry Service, within which medical telemetry equipment would operate on a blanket licensed, interference protected basis.¹ For reasons that are discussed below, it is important that in developing an allocation and rules for wireless medical telemetry, the Commission take into account the wireless meter reading services that it has licensed nationwide in the 1427-1432 MHz band.

Introduction

The NPRM is, in part, the outgrowth of a set of recommendations submitted to the Commission by the Medical Telemetry Task Force of the American Hospital Association (the "AHA"). In its recommendations, the AHA proposed that three bands be used for a medical telemetry service: 608-614 MHz, 1385-1390 MHz, and 1432-1435 MHz.² In the NPRM, the Commission discusses each of these bands and requests comment on the impact that a frequency allocation for medical telemetry would have on the band's other users.³

Moreover, in response to concerns that NTIA has expressed regarding use of the 1432-1435 MHz band for a medical telemetry service, the NPRM discusses the possibility of instead using the 1427-1432 MHz band for this proposed service.⁴

¹ NPRM at para. 1.

² NPRM at para. 13.

³ NPRM at para. 14.

⁴ NPRM at paras. 17, 19, 21, 22.

Interest of Itron

Itron develops, manufactures, and markets utility meter-reading systems, and currently holds a nationwide license to use the 1427-1432 MHz band for a wireless utility meter-reading service. This license was granted with the approval of NTIA following passage of Public Law 102-556,⁵ which directed the Executive Branch to foster the development of new and innovative communications equipment and services, including new communications technologies designed to read meters from remote locations, that would advance the national goals of conserving energy and protecting public health and safety. Itron has since invested more than \$30 million in the development of meter-reading systems operating in the 1427-1432 MHz band and has deployed more than 20,000 network nodes nationwide.

Itron's systems combine a wireless communications device and a unique communications protocol to enable electric, gas, and water utilities and others to read both commercial and residential meters on a reliable, low-cost basis. Itron's newer systems also support two-way communications linking utilities to customer premises utility meters, making possible services such as utility load management and the provision of real-time price and consumption data to customers.

Wireless meter-reading systems represent a significant advance over conventional methods for providing an interface between utilities and utility meters. They dramatically enhance utility productivity, making it possible for a meter reader to increase by a factor of ten, twenty, or more the number of meters that can be read in an eight-hour shift. In addition, they obviate the need for estimated bills and multiple trips to customer homes. Moreover, two-way systems enable utilities to offer their customers a variety of strategies to reduce peak demand and shift usage to off-peak hours, as well as encouraging conservation by providing customers with detailed information regarding their cost and level of energy use. These benefits reduce energy costs and promote responsible environmental management directly, and also make it possible for utilities to defer or avoid altogether the need to construct new generating capacity.

Discussion

In addressing the potential use of the 1427-1432 MHz band by a medical telemetry service, the Commission does not mention Itron's existing, licensed service or the impact that deployment of medical telemetry devices could have

⁵ 106 Stat. 4181 (Oct. 28, 1992).

on Itron's customers.⁶ Moreover, while the Commission proposes that the medical telemetry service be required to protect radio astronomy operations and certain "grandfathered" government operations,⁷ it neither proposes protection for Itron's service nor explains why this existing licensed service does not merit protection.

As the NPRM appears to recognize, prior to making any specific allocation the Commission must consider the effect that the proposed allocation would have on the band's existing and potential users.⁸ This has not yet been done with respect to the 1427-1432 MHz band. On the basis of Itron's initial analysis, it appears that the medical telemetry service cannot be accommodated within the 1427-1432 MHz band without jeopardizing the continued operations of meter-reading services⁹

Moreover, it is unclear whether medical telemetry users even require access to the 1427-1432 MHz band in order to satisfy their needs. The NPRM identifies several alternative bands within which the medical telemetry service possibly could be located.¹⁰ In addition, in the NPRM the Commission questions the premise underlying NTIA's conclusion that the 1427-1432 MHz band – rather than the 1432-1435 MHz band – must be used for such a service.¹¹ It, therefore, may be possible for the Commission to create a medical telemetry service without disturbing the 1427-1432 MHz band.

⁶ See NPRM at paras. 19, 21-23.

⁷ NPRM at para. 38.

⁸ NPRM at para. 38.

⁹ See NPRM at para. 27 (under the Commission's proposal, wireless medical telemetry devices would be licensed on a blanket basis by rule). Even if a site-by-site licensing regime were used for the medical telemetry service, or even if a database of all devices in operation were available, see NPRM at paras. 29-31, it would seem that Itron's service could not be "operated around" interfering sites. Rather, Itron's users must be able to deploy meter-reading devices ubiquitously within their service area, at each site where a utility meter is located.

¹⁰ NPRM at paras. 20, 22-23.

¹¹ NPRM at para. 21.

Itron, therefore, urges the Commission to reject consideration of allocating the 1427-1432 MHz band to a medical telemetry service.

Respectfully submitted,

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