

Comment on Notice of Proposed Rule Making FCC proceeding ET Docket No. 00-221

Comtek-Communications Technology Inc. a manufacturer of FM assistive listening systems would like to add the following response to the public record:

The Low Power Radio Service (LPRS) was established to further the goals of the Americans with Disabilities Act of 1990 and the Technology-Related Assistance for Individuals with Disabilities Act Amendments of 1994 to advance use of affordable communication devices for the hearing impaired. These devices provide valuable assistance and improved quality of life for many hearing impaired individuals. In many cases the use of the LPRS offers the only opportunity to communicate with family members or participate in normal activities such as school, theater, religious worship and other public events. These devices allow many people to integrate into areas of our society where they would not be able to without the use of these assistive listening devices (ALDs).

The LPRS is currently a secondary service operating in a one Megahertz band between 216 and 217 MHz. It is our opinion that given the nature of this service and the mandates previously mentioned, the LPRS for the hearing impaired should be elevated to primary status. Secondary users are not protected from other services and the history of the 72-76 MHz assistive listening allocation shows the pitfalls of a secondary low power service competing with higher power primary users of the same spectrum. In order to guarantee the viability of the LPRS spectrum to accomplish the goals for which the service was originally established we feel it needs to be elevated to primary status.

Additional services could be accommodated in the 216-217 MHz band; however, any new service should be compatible with equipment designed for use under the LPRS as ALDs. FM ALDs are low power, stand alone systems which effect only a localized area; As such, any new radio service which could coexist with the LPRS should also be low power and stand alone. A Petition for Rule Making has been submitted by Regionet to allow two-way paging responses in the 216-217 MHz band. They propose an infrastructure of response receivers distributed throughout their service area to satisfy the low power and thus short range of the response transmitter in a two-way pager. This type of infrastructure would not be compatible with the LPRS ALDs, as there is no way to anticipate the frequency or location of ALD users. Both services would be adversely effected by coexistence. An ALD user could interfere with the response page of a two-way pager user without the pager user's knowledge, and random interference by a large number of competing transmitters sending burst type information would be extremely frustrating for an ALD user who would not know why their FM system randomly breaks up. A low power, two-way paging system requires a large infrastructure with primary, if not exclusive, access to the spectrum; therefore, it would be inherently incompatible with a competing stand alone localized system such as the LPRS.

Also in the proposal, Reginet presented test results of 50 television receivers which indicate that modern television receivers are better equipped to reject strong out-of-band signals than the five receivers tested in 1975 which were used to establish the basis for regulation of the 216-220 MHz band. The conclusion of this study was that a signal at effective radiated power of 1000 Watts in the 218-219 MHz band would pose little

potential for interfering with the reception of Channel 13 television stations. There were no tests done to determine if this type of transmission would be a potential source of interference to an ALD operating in the LPRS, as this is only a secondary service which is not currently protected. To insure reliable operation we feel that future band planning should include consideration of the impact any new allocations would have on hearing impaired users of the LPRS.

Allocating the LPRS as a primary service would not only ensure that the assistive listening spectrum would be protected from possible interference from other services, it would also establish a permanent home for low power assistive listening applications. The assurance that there will be usable spectrum available would encourage industry to spend the time and money needed to develop more sophisticated and innovative equipment for use in the LPRS. Currently, the possibility that the spectrum may become unusable in the future may deter a manufacturer from developing products which may have a prematurely short life cycle.

In conclusion: the goal of the LPRS is to accommodate the mandates of the Americans with Disabilities Act of 1990 and the Technology-Related Assistance for Individuals with Disabilities Act Amendments of 1994. In order to assure the realization of this goal, there needs to be some reasonable protection against harmful interference in the 216-217 MHz band. Elevating the LPRS to primary status would insure that LPRS users would have access to this technology now as well as in the future. Industry will be stimulated to develop new equipment which will encourage competition with the result being improved access to the technology while maximizing the benefits to the members of the hearing impaired community.

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