Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of Amendment of Part 15 Regarding New Requirements and Measurement Guidelines for Access Broadband Over Powerline Systems	)	ET Docket No. 03-104 ET Docket No. 04-37
Carrier Current Systems, including Broadband over Power Line Systems	)	
By G. Scott Davis	)	
To: The Commission:	)	

REPLY TO OPPOSITION BY CURRENT TECHNOLOGIES, LLC. TO PETITION FOR RECONSIDERATION OF REPORT AND ORDER FCC 04-245

This Reply is submitted pursuant to 47CFR § 1.429 of the Commission's rules and regulations, in response to the Opposition filed by CURRENT TECHNOLOGIES, a LIMITED LIABILTY COMPANY, (CURRENT) on March 23, 2005.

My petition for reconsideration, posted January 21, 2005, requested that the Commission clarify the definition of harmful interference as it relates to the Amateur Radio service. The definition stating that harmful interference "seriously degrades, obstructs, or repeatedly interrupts" a

licensed service has not properly clarified the responsibilities of interference mitigation to BPL providers.

For example, many Amateur Radio operators routinely conduct weak signal communications, scanning frequencies and making contacts with stations that are in or just marginally above the noise floor. Often the strength of these signals is below S1.

An S1 BPL signal is one that would seriously degrade, obstruct, or repeatedly interrupt the ability to communicate with these weak signal stations and is by definition harmful interference.

BPL providers such as Progress Energy believe harmful interference must meet a number of criteria including:

"The interference should have to be proven to so greatly interfere with operations such that communications are practically unintelligible."

Progress Energy does not specify a signal level at which they believe communications must be "practically unintelligible".

BPL providers, not fully understanding the nature of Amateur Radio communications, may erroneously believe that an S1 or S2 noise level does not preclude most communications and is therefore not harmful. For these reasons, it is absolutely essential that the Commission clearly state its intent to protect the Amateur Radio Service from interference to weak signal communications.

Current responded to this request as follows:

"Another petitioner argues that even Amateur weak signal communications that are "in or just marginally above the noise floor" are entitled to protection.

"The Commission's Rules do not require a Part 15 device to eliminate all risk of interference to a licensed service. That would be a wholly impractical goal. Instead, Part 15 establishes emissions levels to limit the risk of "harmful interference" and permits free deployment of devices that comply with those limits."

The basis of my request to define harmful interference is to establish clear parameters and expectations for the elimination of harmful interference in frequencies allocated to the Amateur Radio Service, rather than to challenge the obvious risks inherent in the deployment of unintentional radiators. Clearly, I agree with Current that there are interference risks from any radiation source, but that is not the point. The clarification is needed to remove any subjective interpretation from the occurrence of actual interference.

If risk becomes reality - a BPL system fails and its emissions become detectable just marginally above the noise floor, harmful interference would occur as detailed above. If the technician assigned to this case arrives with a harmful interference definition in mind such as Progress Energy's, he may erroneously dismiss the complaint, thus unnecessarily delaying the needed interference mitigation.

After spending much time in study to obtain an Amateur Radio license, thousands of dollars on radios, towers, rotors and antennas, and countless hours enhancing our stations for the best possible performance, an Amateur

Radio operator is not going to accept harmful interference, even that which is just marginally above the noise floor. Any complaints that are not properly addressed by the BPL provider will most certainly be referred to the Commission.

Clarifying harmful interference as it relates to the Amateur Radio Service will significantly reduce the number of complaints referred to the Commission, speed the elimination of interference resulting from BPL failures and provide clear assurance to the Amateur Radio community that the Commission intends to uphold its obligation to protect the licensed Amateur Radio Service.

Sincerely,

G. Scott Davis
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CERTIFICATION OF SERVICE UPON CURRENT TECHNOLOGIES, LLC

I certify that I, G. Scott Davis, placed a true copy of the foregoing Reply to the Opposition to the Petition for Reconsideration prepared by G. Scott Davis in the
United States Mail, on March 30, 2005; to be delivered via first class mail to CURRENT
Technologies, LLC, at the address of its counsel noted below:

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