

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

In the Matter of	)	
	)	
Inquiry Regarding Carrier Current Systems, Including Broadband over Power Line Systems	)	ET Docket No. 03-104
	)	
Amendment of Part 15 Regarding New Requirements and Measurements Guidelines for Access Broadband over Power Lines	)	ET Docket No. 04-37
	)	

To: The Commission

**COMMENTS IN SUPPORT OF THE ASSOCIATION FOR MAXIMUM SERVICE  
TELEVISION, INC.’S PETITION FOR RECONSIDERATION**

The National Association of Broadcasters (“NAB”)<sup>1</sup> hereby files these comments in support of the Petition for Reconsideration filed by the Association for Maximum Service Television, Inc. (“MSTV”) in the above-referenced dockets.<sup>2</sup> NAB agrees with MSTV that the Commission can best serve the public interest by limiting deployment of Access Broadband over Power Line (“Access BPL”) services to below 50 MHz during the digital television (“DTV”) transition. This change is a win-win for all parties; it will benefit the deployment of BPL without unduly disrupting the DTV transition.

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<sup>1</sup> NAB is a nonprofit incorporated association of radio and television stations. NAB serves and represents the American broadcasting industry.

<sup>2</sup> In the Matter of In the Matter of Inquiry Regarding Carrier Current Systems, Including Broadband over Power Line Systems, *Petition for Reconsideration of The Association for Maximum Service Television, Inc.*, ET Docket Nos. 03-104, 04-37 (Feb. 7, 2005) (“MSTV Petition”).

As MSTV has demonstrated, permitting Access BPL services in the low VHF band poses a significant threat of interference to – and even loss of – television reception on channels 2 – 6. A recent MSTV study shows that Access BPL signals over 50 MHz will cause “material interference” with low VHF channels 2 – 6 to a level as to “render these channels unusable in many realistic cases.”<sup>3</sup> Such interference could derail or delay the DTV transition, because, as MSTV pointed out, consumers may not be willing to invest in DTV receivers if BPL services cause interference to DTV reception.<sup>4</sup>

This potential interference can be avoided by confining Access BPL services to the spectrum below 50 MHz. Making this change will present no roadblock to the development of BPL services, and will concurrently protect consumers’ interest in a successful DTV transition. As MSTV notes, the record does not reflect a need for BPL operations above 50 MHz.<sup>5</sup> Access BPL systems that are currently deployed generally operate in the range from 2 MHz to 50 MHz. Moreover, none of the BPL proponents advocate operating above 50 MHz.

Therefore, the MSTV proposal to confine Access BPL services to the spectrum below 50 MHz until the DTV transition is reasonable. The Commission can protect low VHF channels from interference during the critical DTV transition period while also allowing development of new services utilizing BPL technologies. Accordingly, NAB requests that the Commission grant

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<sup>3</sup> MSTV Petition at 8 (citing M. Winston Caldwell & R. Evans Wetmore, Fox Technology Group, *Interference Effects into Low VHF Television Arising From Broadband Over Power Line*, at 1 (February 2005)).

<sup>4</sup> MSTV Petition at 10.

<sup>5</sup> *Id.* at 4.

MSTV's Petition to reconsider its *Report and Order* amending Part 15 of the Commission's rules to prohibit deployment of Access BPL technology in frequencies above 50 MHz.

Respectfully submitted,

**NATIONAL ASSOCIATION OF  
BROADCASTERS**

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A handwritten signature in black ink, consisting of a stylized star-like symbol followed by the name "Bobeck".

Jennifer DiMarzio  
NAB Law Clerk

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Marsha MacBride  
Ann West Bobeck

April 4, 2005