Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band	)	WT Docket No. 08-166
	)	
Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary Stations, Including Wireless Microphones, and the Digital Television Transition	)	WT Docket No. 08-167
	)	
Amendment of Parts 15, 74 and 90 of the Commission's Rules Regarding Low Power Auxiliary Stations, Including Wireless Microphones	)	ET Docket No. 10-24

To: The Commission

Via the ECFS

Comments of Lectrosonics, Inc.

Lectrosonics, Inc. is a manufacturer of professional wireless microphone systems used in TV production, filmmaking, and live sound performances. Lectrosonics holds grants of equipment authorization from the Commission for these products. We hereby respectfully submit these Comments in response to the Report and Order and Further Notice of Proposed Rulemaking adopted by the Commission on January 14, 2010.

1. Further Notice IV.A.1 Unlicensed Operation under Part 15.

The Commission proposes to limit wireless microphone power to the antenna to 50 mW. It is stated that the majority of wireless microphones operate with a power level between 10 and 50 mW. This may be true, but over a period of more than 10 years Lectrosonics has produced tens of thousands of UHF wireless microphone systems operating at a power level of 100 mW. These models, certified under Part 74 Rules, are used in a wide range of applications, and comprise a sizeable minority of all wireless microphone systems in operation today. In light of this, Lectrosonics believes that a power limit of 100 mW would be more appropriate, so that this population is migrated into the Part 15 unlicensed operation regime along with those operating at 50 mW and below. This would provide greater certainty

for those who earn a living using these systems as it is unclear at this time what the extent of eligibility for licensing under revised Part 74 rules will be. It would also serve to prevent the risk of interruption of work resulting from a requirement to obtain a license, a process which may well be subject to delays caused by a large application load.

We note the arguments presented by the Commission which form the basis of the 50 mW limit. In particular we recognize the desire to limit the range of unlicensed wireless microphones. However, we believe that the 41% range increase resulting from a 3dB increase in power from 50 to 100 mW would not pose a significantly increased interference risk to other devices when operating under Part 15 rules (every doubling of transmitter power increases range only by a factor of the square root of 2, or 1.414).

Lectrosonics believes that if the Commission were to adopt technical rules for operation under Part 15 that differ from existing Part 74 rules, a transition period of 24 months would be sufficient, from the effective date of the new rules.

2. Further Notice IV.A.2 Licensed Operation under Part 74.

Lectrosonics holds that expanded eligibility for licensing of low power auxiliary stations is necessary if the 50 mW power limit is imposed for operation under Part 15 rules. In this case, users of wireless microphones operating at the 100 mW level will be stranded if they are not eligible for licensing under Part 74 rules. This will force them to replace their equipment, at considerable cost and inconvenience. We believe that judiciously expanded licensing eligibility rules would mitigate this impact. We further believe that these users will need the additional protections afforded Part 74 licensees, but that their participation in the TV Band Device database will be beneficial in limiting conflicts. Lectrosonics agrees that live performing arts (theatre, music), sporting events and religious facilities often operate numerous wireless microphones and if not already eligible for licensing under Part 74 rules, should be in the future. In addition, we agree that many governmental and educational institutions should be eligible for licensing under Part 74 rules. These institutions (legislative chambers, lecture halls etc.), like theatres, sporting venues and religious facilities have a fixed location and their inclusion in the TV Band Device database should not be problematic. Likewise, the requirement to coordinate frequencies should not prove difficult since these entities normally operate under a stable frequency plan made possible by their fixed location.

3. Further Notice IV.A.3 Marketing and Labeling Issues for Part 74 Low Power Auxiliary Stations.

Lectrosonics believes to be impractical a rule requiring that the marketing of equipment certified under Part 74, Subpart H rules be directed solely to parties eligible to operate the equipment. As we sell exclusively through a network of dealers, we are not in direct contact with the end user and have no immediate control of the sales presentation. This would make revocation of grant of certification a severe penalty indeed if marketing efforts at the dealer level, unbeknownst to the manufacturer, stray from the rules. We do not believe that such a penalty is necessary. We do believe that clear labeling of product and inclusion of

cautions in product literature and our website will achieve the goal of making purchasers aware of the Part 74 licensing requirements. We would not object to a simple record keeping requirement to track the original purchaser of the equipment.

A rule to require a label, visible at the time of purchase, advising of the requirement to obtain a license, as well as a label on the device itself, would be entirely reasonable. In the case of equipment which can only be operated with a license, labeling will serve to inform all parties to a purchase of the obligation to obtain a license. The instruction manual should also contain advisory information to prevent misunderstanding.

Lectrosonics believes a written commitment by purchasers declaring their eligibility for operation of the equipment under Part 74 rules is unnecessary. It would suffice to simply record the identity of the purchaser and an ID number associated with an FCC license and keep the information of file for reference. We believe that a requirement for a information cross-check at the time of sale would be impractical as it would require a significant implementation effort and an electronic database which may be subject to availability, performance and accuracy problems.

Repectfully submitted,

/s/

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