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March 16, 2012

Ms. Marlene S. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street S.W.  
Room 2-B450  
Washington DC 20554

**Re: WT Docket No. 10-4**  
**Ex Parte Filing**

Dear Ms. Dortch:

This is to advise that on Wednesday, the 14<sup>th</sup>, the undersigned had a telephone call with Joyce Jones, Attorney Advisor, Mobility Division regarding the above-referenced proceeding.

We discussed additional proposals that the National Association of Manufacturers and MRFAC, Inc. (“NAM/MRFAC”) might make relative to Part 90 boosters. I indicated that NAM/MRFAC was likely to submit proposals looking toward revisions to Rule 90.219 dealing with authorization for boosting the signals of other users.

To this end, NAM/MRFAC is pleased to submit the revisions to Rule 90.219 as set forth on the attachment (the attachment also reflects two other changes based on suggestions in earlier NAM/MRFAC filings). In many instances, manufacturer use of signal boosters occurs in campus-type industrial settings where there is physical separation between the licensee and other users. In other instances, where third party frequencies are amplified and separation is lacking, such users have often entered upon the campus or premises. In these cases, the individuals are in the nature of invitees on the manufacturers’ premises, e.g. fire and EMS personnel called by the plant to respond to an emergency. For invitees, constructive consent can be inferred. Apart from all these circumstances, however, the fundamental point is that any amplification of third party signals is likely to be fleeting and incidental.

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NAM/MRFAC continues to be of the view that wideband boosters might be accompanied by a registration program, as well as the other prophylactic measures, such as professional installation, as spelled out in the NAM/MRFAC October 11, 2011 Comments. However, NAM/MRFAC would urge that any registration be as simple and as non-burdensome as possible consistent with facilitating the remediation of interference.

NAM/MRFAC would also note the proposals which have been presented for tightening the roll-off for Class B boosters. While various suggestions have been made, requiring Class B units to be equipped with filters that achieve a roll-off of -30 or -35 dB +/- 1 MHz above and below the frequency band containing the licensee's authorized frequencies, appears to represent a reasonable compromise.<sup>1</sup> This would produce a balanced result between the reduced potential for out of band interference from even tighter filtering, on the one hand, and increased unit costs associated with such filtering, on the other hand. NAM/MRFAC can support either of the values referenced above.

If there are any questions regarding this matter, kindly contact the undersigned.

A copy of this letter is being submitted for the Docket.

Respectfully submitted,

/s/ William K. Keane

William K. Keane

Cc: Roger Noel  
Joyce Jones  
Thomas Derenge  
Moslem Sawez  
Becky Schwartz  
Brian Marenco  
Erin Griffiths

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<sup>1</sup> This view has been urged by Bird Technologies Group and Jack Daniel, for example. *See* Bird Technologies Group Reply Comments filed August 24, 2011 at page 3; and Reply Comments Regarding Notice of Proposed Rulemaking (NPRM) of Jack Daniel filed August 24, 2011 at pages 9-10.

**§ 90.219 Use of signal boosters.**

Licensees authorized to operate radio systems in the frequency bands above 150 MHz may employ signal boosters at fixed locations in accordance with the following criteria:

(a) The amplified signal is retransmitted only on the ~~exact~~ frequency(ies) of the originating base, fixed, mobile, or portable station(s); provided, however, that incidental boosting of other licensees' transmissions shall be permissible. The ~~b~~ boosters shall be used to ~~will~~ fill in only weak signal areas and cannot extend the system's normal signal coverage area.

(b) Class A narrowband signal boosters must be equipped with automatic gain control circuitry which will limit the total effective radiated power (ERP) of the unit to a maximum of 5 watts under all conditions. Class B broadband signal boosters are limited to 5 watts ERP for each authorized frequency that the booster is designed to amplify.

(c) Class A narrowband boosters must meet the out-of-band emission limits of §90.210 for each narrowband channel that the booster is designed to amplify. Class B broadband signal boosters must meet the emission limits of §90.210 for frequencies outside of the booster's designed passband.

(d) Class B broadband signal boosters are permitted to be used only in confined or indoor areas such as buildings, tunnels, underground areas, etc., or in remote areas, i.e., areas where there is little or no risk of interference to other users. Class B boosters shall be installed by qualified technical personnel.

(e) The licensee is given authority to operate signal boosters without separate authorization from the Commission. Certificated equipment must be employed and the licensee must ensure that all applicable rule requirements are met. Outdoor antennas may be employed.

(f) Licensees employing either Class A narrowband or Class B broadband signal boosters as defined in §90.7 are responsible for correcting any harmful interference that the equipment may cause to other systems. Normal co-channel transmissions will not be considered as harmful interference. Licensees will be required to resolve interference problems pursuant to §90.173(b).

[61 FR 31052, June 19, 1996, as amended at 63 FR 36610, July 7, 1998; 72 FR 35195, June 27, 2007]