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February 12, 2013

ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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

Dear Ms. Dortch:

This is to inform you that on February 11, 2013, Karen Reynolds, President and CEO, and Franklin Smith, Director of Sales, of Wireless Extenders, Inc. ("Wi-Ex") and the undersigned met with the following Commission personnel: (1) Commissioner Ajit Pai and Matthew Berry, Chief of Staff to Commissioner Pai; (2) Bureau Chief Ruth Milkman, Deputy Bureau Chief John Liebovitz, Maria Kirby, Roger Noel, Joyce Jones, and Becky Schwartz, all of the Wireless Telecommunications Bureau; (3) Commissioner Mignon Clyburn and Louis Peraertz, Legal Advisor to Commissioner Clyburn; (4) Erin McGrath, Legal Advisor to Commissioner Robert McDowell; (5) David Goldman, Senior Legal Advisor, and Alex Hoehn-Saric, Policy Director in Commissioner Jessica Rosenworcel's office; and (6) Renee Gregory, Legal Advisor to Chairman Julius Genachowski.

We discussed the above-referenced signal booster proceeding and shared our views on some of the reported elements of the upcoming Order in this proceeding. Specifically, we noted our support for the adoption of technical specifications designed

to ensure that signal boosters do not interfere with wireless networks and explained that, while existing Wi-Ex products meet most of the proposed technical safeguards, there is a need for some redesign and recertification to comply fully with the specifications set forth in the Joint Proposal submitted in the record. We also shared our concerns on the reported carrier consent requirement and the reported time-line for implementation of the new signal booster rules. Wi-Ex's views are summarized in the attached, which was distributed to the participants in the meetings. We also sought clarification on the status of the estimated two million existing, non-interfering boosters already in the hands of consumers.

While discussing the difficulty manufacturers will face in designing and manufacturing products that meet the new requirements within the reported time frame, we were asked to provide details on the timeline manufacturers such as Wi-Ex can reasonably expect to face. Wi-Ex expects it will take 9-10 weeks to modify its products in accordance with the new rules, test them, build prototype boards, and test and evaluate the prototypes; 14-18 weeks to procure new materials/components; and 5-7 weeks to complete assembling and producing the products. In addition, the devices will need to be tested/certified by the FCC labs, a process which may add several weeks given the need for the labs to develop and implement new testing procedures and carry out testing for the numerous signal boosters seeking certification. (This process could take even longer if TCBs are involved.) In addition, it may take an additional 1-3 weeks for products to be distributed to retail distribution channels.

Under these relatively optimistic assumptions, Wi-Ex estimates it will take 29-38 weeks plus the time it takes for the FCC labs to certify the redesigned devices in order for the company to be able to sell new, compliant devices. In other words, if every aspect of this process met best case scenarios without delay, Wi-Ex *may* be able to meet the reported implementation date of Nov. 1 after which all devices sold would have to comply with the new requirements. Wi-Ex and most other signal booster manufacturers are small companies that focus on a single product category – signal boosters – and cannot absorb the possibility of lost sales if redesigned products are not ready on the date the new requirements go into effect. Accordingly, Wi-Ex has suggested a 12-month implementation timeline for the new rules. Wi-Ex also noted that Wilson Electronics has suggested that the new rules go into effect on Dec. 31, 2013 and noted that it supported this date as a compromise position.

Please direct any questions regarding this matter to the undersigned.

Respectfully,

A handwritten signature in black ink that reads "T. Devendra Kumar". The signature is written in a cursive style with a prominent underline at the end.

Henry Goldberg
Devendra T. Kumar
Attorney for Wireless Extenders, Inc.

cc: Matthew Berry
Ruth Milkman
John Liebovitz
Maria Kirby
Roger Noel
Joyce Jones
Becky Schwartz
Louis Peraertz
Erin McGrath
David Goldman
Alex Hoehn-Saric
Renee Gregory

Signal Booster Proceeding, 2/20/13 Proposed Meeting Agenda (WT Docket No. 10-4)

Wireless Extenders, Inc. ("Wi-Ex")

Carrier Consent and Registration of Boosters

- Wi-Ex is deeply concerned that the upcoming Report & Order will reportedly include not only technical specifications designed to prevent interference to wireless carrier networks, but also a requirement that consumers must obtain consent from the wireless carriers whose networks they use. A carrier consent requirement is unnecessary and will inhibit customer adoption of signal boosters, leaving many with inadequate wireless coverage.
- Wi-Ex fully supports the development of technical specifications designed to prevent interference to wireless carrier networks – such safeguards are needed to ensure that poorly designed signal boosters are kept out of the market. However, the entire purpose of technical specifications designed to prevent interference is to establish a single standard and to obviate the need to seek consent from each individual carrier. As with all consumer devices, standards promote innovation and efficient design, while carrier-by-carrier consent leads to inefficiency and uncertainty.
- Consumers understandably will be hesitant to purchase devices if they are required to obtain consent from wireless carriers. Such a requirement will likely keep many consumers with inadequate wireless coverage from buying signal boosters that would enable them to have access to a stronger, more reliable wireless signal – crucial at a time when more consumers are “cutting the cord” and using wireless phones for all communications, including emergency communications.
- Though it is promising that Verizon and T-Mobile have stated that they will consent to the use of any device that meets the technical specifications adopted by the Commission, Wi-Ex notes that (1) such consent can be withdrawn at any time; and (2) these two carriers together represent less than 45 percent of the wireless market. These facts leave signal booster manufacturers facing significant uncertainty going forward.
- The Commission should adopt a rule that presumes that wireless carriers will be deemed to have consented to all devices that meet the technical specifications.¹ Failing that, the Commission should at minimum adopt a rule that carriers may not unreasonably withhold consent for the operation of signal boosters that meet

¹ Of course, all signal boosters will operate subject to the condition that any device found to interfere with wireless carrier networks must cease operating. Upon repeated instances of such interference from a particular booster model, consent could be withdrawn from that model.

the technical specifications, and establish a process whereby consumers and manufacturers can seek FCC review of instances in which carriers unreasonably withhold consent (for example, for anti-competitive reasons).

Time Frame for Adoption of New Rules

- The reported six-month time frame for implementation of the new rules is too short for manufacturers to finish designing new products, get them certified by the FCC (after the FCC labs first establishes a process to test signal boosters in accordance with the new rules), and then manufacture and distribute the newly certified devices into retail channels. Wi-Ex urges the Commission to have the rules go into effect 12 months from the effective date of the Order.