



GE
Digital Energy

April 26, 2013

BY ELECTRONIC DELIVERY

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

Re: Ex Parte Submission
*Request by Progeny LMS, LLC for Waiver of Certain Multilateration Location
and Monitoring Service Rules*
WT Docket No. 11-49

Dear Ms. Dortch:

Attached is a letter sent by GE Digital Energy ("GE") to Progeny/NextNav LLC ("Progeny") on April 25, 2013, requesting that the companies engage in joint testing to determine the effect of Progeny's position location system on GE's Part 15 MDS microwave radios.

GE is particularly troubled by the potential impact of Progeny's system on long-range supervisory control and data acquisition ("SCADA") systems that use GE's Part 15 radios to communicate between base stations and edge devices. Electric utilities and other critical infrastructure (e.g., oil and gas, water) depend on the reliable performance of these SCADA systems to ensure the safe, secure and efficient operation of their networks and assets.

Because such critical applications were not included in the previous round of joint testing, the record in this proceeding does not support a conclusive determination as to whether Progeny has met its obligations to Part 15 users. As such, GE urges the Commission to exercise prudence in its review of Progeny's request to operate, and order additional joint testing to provide sufficient evidence on which to base a ruling.

Please direct any questions to the undersigned.

Respectfully submitted,

/s/

David Malkin

Director, Government Affairs and Policy

GE Digital Energy

4200 Wildwood Parkway

Atlanta, GA 30339

678-742-1426

Attachment

cc: Julie Knapp
Geraldine Matise
Ruth Milkman
Paul Murray



GE
Digital Energy

Tom Mueller
General Manager
Industrial Communications

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April 25, 2013

Gary Parsons
Chief Executive Officer
NextNav LLC
7926 Jones Branch Dr., Suite 500
McLean, VA 22102

Dear Mr. Parsons:

I am writing to request your agreement to conduct joint testing between GE Digital Energy's MDS microwave radios and Progeny's position location network.

GE Digital Energy is a leader in industrial wireless networking solutions for a range of applications, including supervisory control and data acquisition ("SCADA"), automation, telecommunication and public safety. GE Digital Energy designs and manufactures networked high-speed point-to-multipoint and medium and low capacity point-to-point microwave radios that operate as Part 15 devices in license-exempt bands, notably in the 902-928 MHz band. GE Digital Energy's customers use our Part 15 devices across a diverse range of industries and sectors, including electric, oil and gas, mining, transportation and water.

We understand that Progeny conducted limited joint testing in 2012 as a condition of the Federal Communications Commission's (FCC) waiver of the Multilateration Location and Monitoring Service rules. However, this testing was performed with only a small and non-representative set of Part 15 devices. As GE Digital Energy has noted through various filings in this proceeding, our technical analysis indicates that Progeny's position location network will cause significant interference with our Part 15 microwave radios.¹

We are particularly troubled by the potential impact of Progeny's system on long-range SCADA systems that use our Part 15 radios to communicate between base stations and edge devices. Electric utilities and other critical infrastructure (e.g., oil and gas, water) depend on the reliable performance of

¹ Comments of GE Digital Energy and GE MDS LLC, WT Docket No. 11-49, filed December 21, 2012; and GE Digital Energy, *Ex Parte Presentation*, WT Docket No. 11-49, filed March 13, 2013.

these SCADA systems to ensure the safe, secure and efficient operation of their networks and assets. These applications were not included in the previous round of joint testing, and GE Digital Energy customers have raised worries regarding the potential impact of Progeny's system on such mission-critical functions.

We appreciate Progeny's desire for a prompt ruling by the FCC on whether Progeny has satisfied its obligations to Part 15 users. However, the record as it stands is incomplete, and does not support a conclusive determination as to whether Progeny's system will cause unacceptable interference with Part 15 devices. As such, we request your support in conducting joint testing with GE Digital Energy's microwave radios to address our concerns and the concerns of our customers, and to provide the FCC with a comprehensive and accurate record on which to base a ruling.

Thank you for your time and consideration. I look forward to hearing from you soon.

Sincerely,



Tom Mueller
General Manager
Industrial Communications

cc: Bruce Olcott