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

In the Matter of	)	
	)	
Amendment of Parts 0, 1, 2, and 15 of the	)	
Commission's Rules regarding Authorization of	)	ET Docket No. 13-44
Radiofrequency Equipment	)	RM-11652
	)	
Amendment of Part 68 regarding Approval of	)	
Terminal Equipment by Telecommunications	)	
Certification Bodies	)	

Comments of the Information Technology Industry Council

The Information Technology Industry Council (ITI) respectfully offers the following comments in response to the above referenced Notice of Proposed Rule Making (NPRM).

ITI and its member companies agree with the proposal in paragraph 44[1] of the NPRM to end the listing program for laboratories and require the use of accredited laboratories for certification testing under the Rules. Accreditation is alleged to provide a greater degree of confidence that a laboratory is competent to perform testing in accordance with the standards. While this has not necessarily been the experience of ITI members in all cases, accreditation, if properly granted, results in a higher level evaluation of laboratories' capabilities than the requirements of the existing listing program.

We do not agree with the proposal in paragraph 46 that would allow laboratories located in countries which do not have an MRA with the United States to test for the Declaration of Conformity process. The existing requirement for an MRA is a major tool for negotiating with countries to allow US based laboratories to test for their approval processes. Removal of this requirement would provide a competitive advantage to foreign laboratories. The only case where such allowance would be acceptable is where the other country allows United States based laboratories to test for approvals in their country without an MRA being in place.

Subcontracting of testing by an accredited laboratory, as mentioned in paragraph 47, is already covered by requirements in ISO/IEC 17025. If an accredited laboratory has processes in place, in accordance with ISO/IEC 17025, we see no reason why such subcontracted testing should not be allowed. We suggest subcontracting of testing be allowed provided it is done in accordance with the rules and/or procedures established by the laboratory accrediting authority and that the subcontracted test be also be accredited according to ISO/IEC 17025.

As noted above, we are not in favor of allowing laboratories located in countries which do not have an MRA with the United States to test for the Declaration of Conformity process unless the other country allows laboratories in the United States to test for approvals in that country with or without an MRA. The

[1] As referenced in Federal Register / Vol. 78, No. 86 / Friday, May 3, 2013 / Proposed Rules, 25916. Following paragraph references also refer to the NPRM as published in the Federal Register.

advantages of accreditation over the FCC's laboratory listing program are sufficient to suggest that a change to require accreditation is justified.

ITI is in favor of the proposal in paragraph 54 to require that laboratories making measurements of radiated emissions above 1 GHz meet the validation requirements in ANSI C63.4-2009. Site qualification is critical to helping ensure consistency of measurements among different laboratories.

ITI has objected to the use of ANSI C63.4-2009 in the past as there was significant opposition to the use of hybrid antennas within ANSI ASC C63® SC 1. The interpretation sheet issued by C63® on March 23, 2012 still indicates that their preferred approach is to outlaw hybrid antennas, while grudgingly accepting their use due to wording in the standard. ITI is also aware that after significant pushback by industry members of C63® SC 1 that the 2012 version of C63.4 (still under reconsideration balloting) no longer is ambiguous on the use of hybrid antennas and specifically calls them out as allowed, although with confusing notes in the accompanying table. Thus, if ANSI C63.4-2009 is adopted, as proposed in paragraph 59, it must be made clear in the Rules that the use of hybrid antennas is allowed for testing products to show compliance with the FCC Rules.

C63® has amended their written practice for approving guidance documents in a fashion that requires more input into the process, thus allowing for a wider group to review and approve such interpretations. Regardless, ITI remains opposed to the proposal to have C63® interpretations given the force of law by automatically being accepted by the FCC as part of their Rules. Unless public notice is given by the FCC that an interpretation has been issued and is now in effect this simply adds to the complexity of keeping up with potential changes to test procedures followed by laboratories around the world when testing products for compliance to the FCC Rules.

Analysis by ITI and its member companies indicates that some of the changes introduced in the 2009 version of C63.4 are, indeed, more burdensome than the previous edition and that the benefits of these burdens do not outweigh their costs. In particular:

- The revised details of the 2 dB rule in clause 6.2.3 and 6.2.6 of ANSI C63.4-2009 render testing of large and complex equipment impractical and unrealistically difficult. Requiring the emission closest to the limit to increase by 2 dB or less and to not continue to rise as additional cable are added has the same effect in practice as requiring that emission not to rise at all. Thus, the 2 dB rule, which is accepted throughout the world and has served the FCC and US consumers well for many years, is no longer in play. Essentially, manufacturers will be forced to load every identical port with cables for testing. This change places undue burden on manufacturers of such equipment. Given the dearth of harmful interference situations caused by large and complex equipment over the past 30-plus years, this extra burden on manufacturers and potential for additional costs passed on the US consumers is not justified. Thus, if ANSI C63.4-2009 is adopted, as proposed in paragraph 59, it must be made clear in the Rules that additional cables do not need to be added to identical ports if the emission closest to the limit increases by 2 dB or less with the additional of a cable and the emission does not need to asymptotically rise to a level that is below the limit do not need to be applied to show compliance with the FCC Rules. This exception must also be applied to the rules for determining the configuration of the EUT with respect to the number of identical modules in an EUT that accepts multiple modules.
- The use of undated normative references creates issues for test labs and manufacturers to implement any revised editions without a defined transition period, including confusion as to when the revised edition must begin to be applied and maintaining continual awareness of when a revised edition is published.
- The proposal to have C63® interpretations given the force of law by automatically being accepted by the FCC as part of their Rules without public notice being given by the FCC that an

interpretation has been issued and is now in effect would add to the complexity of keeping up with potential changes to test procedures followed by laboratories around the world when testing products for compliance to the FCC Rules.

- Not allowing the use of hybrid antennas for testing of equipment to demonstrate compliance with the FCC rules would force test laboratories to abandon a practice that has been in place, and served the public well, for many years and to purchase multiple, new antennas to replace the hybrid antennas currently in use. Round robin comparison tests have shown hybrid antennas that are designed for emission measurements yield results comparable in every way to those obtained using separate biconical dipole and log periodic dipole array antennas.

With regard to the specific question posed by the Commission in paragraph 60, yes the Commission could address ITI's concerns about C63.4–2009 and C63.10–2009 by not incorporating certain sections of these standards into the rules. The particular sections of C63.4-2009 to not incorporate into the Rules are:

1) The revised details of the 2 dB rule in clause 6.2.3 ("…and that this emission amplitude does not continue to rise as additional cables are attached. If the amplitude of the emission continues to rise as cables are added, then additional cables shall be added even though the change in emission amplitude is less than 2 dB. The maximum signal must asymptotically rise to a level that is below the limit.") and
2) The revised details of the 2 dB rule in clause 6.2.6 ("and that this emission amplitude does not continue to rise as additional modules are attached. If the amplitude of the emission continues to rise as mdoules are added, additional modules shall be added even though the change in emission amplitude is less than 2 dB. The maximum signal must asymptotically rise to a level that is below the limit. ")

We are in agreement with the proposal in paragraph 63 to require applications for certification to include photographs or diagrams of the test set-up for each test. It has been our experience that such information is critical to reproducing test results, either at a later date in the same laboratory or at a second laboratory. With digital cameras the cost of this requirement is, indeed, negligible.

ITI is grateful for the opportunity to offer these comments on this issue of importance to the IT industry. We welcome any questions on the above.

About ITI

The Information Technology Industry Council represents the leading providers of information technology (IT) products and services. ITI is the voice of the high tech community, advocating policies that advance industry leadership in technology and innovation; open access to new and emerging markets; promote e-commerce expansion; protect consumer choice; and enhance the global competitiveness of its member companies.