

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Amendment of Parts 1, 2, 22, 24, 27, 90 and 95) WT Docket No. 10-4
of the Commission’s Rules to Improve Wireless)
Coverage Through the Use of Signal Boosters)

**OPPOSITION OF CTIA – THE WIRELESS ASSOCIATION® TO PETITION FOR
CLARIFICATION AND/OR RECONSIDERATION**

CTIA – The Wireless Association® (“CTIA”)¹ hereby submits this Opposition to the Petition for Clarification and/or Reconsideration (the “EWA Petition” or “Petition”) filed by the Enterprise Wireless Alliance (“EWA”) in the above-captioned proceeding. In the Commission’s recently-adopted Report and Order on signal booster issues, the FCC adopted much-needed technical and operational standards for signal boosters.² In its Petition, EWA has asked that the Commission extend its registration deadline for commercial signal boosters to November 1, 2014.³ As outlined in further detail below, CTIA opposes this request, as it is critically important that the Commission’s registration requirements take effect as soon as possible. These

¹ CTIA—The Wireless Association is not a typographical error. *City of Arlington v. FCC*, 569 U.S. ___, ___ (2013)(slip op. at 3, n.1). More properly, CTIA is an orphan initialism. CTIA was founded in 1984 as the Cellular Telecommunications Industry Association. In 2000, CTIA merged with the Wireless Data Forum and became the Cellular Telecommunications & Internet Association. In 2004, we changed our name to CTIA-The Wireless Association®. This name better represents CTIA’s diverse membership of service providers, manufacturers, wireless data and Internet companies, as well as other contributors to the wireless universe. More information about CTIA is available on the Association’s website at <http://www.ctia.org/aboutCTIA/>.

² *Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission’s Rules to Improve Wireless Coverage Through the Use of Signal Boosters*, Report and Order, FCC 13-21 (Feb. 20, 2013) (“*Report and Order*”).

³ Petition for Clarification and/or Reconsideration of the Enterprise Wireless Alliance, WT Docket No. 10-4 (May 13, 2013) (“EWA Petition”).

requirements will enable providers to rapidly resolve interference issues, resulting in considerable consumer and public safety benefits. Further delay is simply not in the public interest. For this reason, CTIA asks the Commission to reaffirm its existing registration requirement. CTIA also asks the Commission to reiterate that no existing signal boosters will be permitted to operate without carrier consent, and that timely registration of a booster alone does not cause it to be compliant with the Commission's requirements.

I. THE ENTERPRISE WIRELESS ALLIANCE'S REQUEST FOR AN EXTENSION OF TIME CONTRAVENES THE PUBLIC INTEREST.

The Commission should deny EWA's request that it extend the deadline for registration of consumer signal boosters to November 2014. As articulated in further detail below, the interference caused by unauthorized signal boosters has been allowed to persist for too long, and booster registration will play an essential role in putting an end to this harmful interference. Further, EWA's proposal would strip wireless providers of the ability to establish a timetable for booster registration that meets the needs of their consumers and networks. For this reason, the Commission should maintain and reaffirm its requirement that consenting providers establish a registration mechanism by March 1, 2014.

In the Report and Order, the Commission has required that by March 1, 2014, all providers who voluntarily consent to the use of consumer signal boosters on their networks must establish a free registration mechanism for their subscribers.⁴ Providers who do not consent to the use of consumer signal boosters on their networks by March 1, 2014 must establish the registration mechanism within 90 days of consenting to such use.⁵ The Commission further

⁴ *Report and Order* at ¶ 106.

⁵ *Id.*

required that users of existing consumer signal boosters register them within 90 days of being notified by their service provider of the registration process.⁶

In its Petition, EWA asks that instead of establishing a March 1, 2014 deadline for the opening of booster registration and a 90-day registration window for users of existing boosters, that the Commission set a single registration deadline of November 1, 2014 for all boosters already deployed as of the date of the Report and Order.⁷ EWA asserts that this “modest” extension and the creation of a consolidated registration deadline “will serve the FCC’s objectives and the public interest.”⁸ EWA further argues that a 90-day registration window may prove too burdensome for some booster users.⁹

As the Commission correctly indicated in the Report and Order, provider-based registration of consumer signal boosters has substantial public interest benefits. This requirement will “facilitate provider control over Consumer Signal Boosters consistent with existing practices with respect to consumer handsets and devices”¹⁰ and will also provide wireless carriers with a necessary “indicia of control over these devices.”¹¹ A provider-based registration requirement will also facilitate rapid resolution of interference in the event it occurs. As the Commission correctly noted in the Report and Order, “[i]f a wireless provider identifies interference on its network that might be attributable to a signal booster, the provider can use the

⁶ *Id.* at ¶ 129.

⁷ EWA Petition at 5.

⁸ *Id.* at 6.

⁹ *Id.* at 5.

¹⁰ *Report and Order* at ¶ 96.

¹¹ *Id.*

registration as a ready resource” and “contact the operator of an interfering booster and swiftly address the problem.”¹² Finally, the Commission properly concluded that a registration requirement would not be overly burdensome to consumers, as the process would be simple and require minimal information from the consumer.¹³

It is clear, therefore, that the Commission’s registration mechanism has significant public interest benefits, and it is critically important that these requirements take effect as soon as possible. For many years, unauthorized signal boosters have caused significant interference to wireless consumers. As the Commission has observed, “wireless service providers and public safety communications officials sometimes expend significant time and resources to locate and eliminate signal booster related interference.”¹⁴ This interference to wireless consumers has been allowed to persist for far too long. Certification and registration of signal boosters will play a clear role in the resolution of such interference. Further delay of this important action – as requested by EWA – is simply not in the public interest.

Interference caused by unauthorized signal boosters also can undermine public safety operations. The City of Ontario, California encountered harmful interference to its 800 MHz radio system when an individual’s self-installed, residential cell phone booster went into oscillation, producing energy that was received by base stations more than a mile away.¹⁵ Although public safety spectrum is no longer interleaved at 800 MHz, it is adjacent to CMRS spectrum and remains at risk of harmful interference from poorly engineered boosters. Further,

¹² *Id.* at ¶ 97.

¹³ *Id.* at ¶ 101.

¹⁴ *Id.* at ¶ 9.

¹⁵ Reply Comments of Public Safety Licensees, WT Docket No. 10-4, at 2 (Aug. 24, 2011).

testing has demonstrated that certain unauthorized signal boosters may negatively impact E911 location accuracy.¹⁶ A comprehensive registry of signal boosters would therefore be critical to efforts by public safety to resolve interference and location accuracy problems.

In addition to delaying the resolution of interference issues, EWA's proposal would eliminate the flexibility afforded to wireless network providers to establish their own timetables for booster registration. Under the Commission's existing framework, wireless carriers are free to require registration in advance of March 1, 2014 if they open their registration window earlier than required by the Commission. However, the EWA proposal would strip wireless providers of this discretion provided to them by the FCC by establishing a November 1, 2014 registration deadline regardless of how early a wireless provider makes its registration process available to customers. Given the interference threat posed to consumers by unauthorized or malfunctioning signal boosters, wireless providers should be empowered to establish consumer signal booster registration as soon as possible.

CTIA supports a regulatory framework that leads to the development of more robust and protective boosters that provide valuable services while not interfering with wireless consumers and public safety users. It is vitally important that the booster ecosystem consist of certified devices that do not cause interference to wireless consumers. CTIA therefore asks that the Commission reject EWA's proposal to further prolong the interference environment created by unauthorized consumer signal boosters. Instead, the Commission should reaffirm its requirement that consenting providers establish a registration mechanism by March 1, 2014. This earlier

¹⁶ See, e.g., Letter from Jeanine Poltronieri, AT&T to Marlene H. Dortch, FCC, WT Docket 10-4 (Jan. 10, 2012) ("As noted in the December 21, 2011 ex parte meeting, AT&T contracted with TruePosition to conduct testing to determine the impact of signal boosters on E911 location accuracy in a U-TDOA environment. That testing demonstrates that signal boosters degrade E911 location accuracy and can prevent E911 locates.").

deadline will help spur the development and operation of non-interfering boosters and empower wireless providers to address sources of interference on their networks.

II. THE COMMISSION MUST REITERATE THAT NO EXISTING SIGNAL BOOSTERS WILL BE PERMITTED TO OPERATE WITHOUT CARRIER CONSENT.

In addition to reaffirming the existing March 1, 2014 deadline for establishing a registration system, the Commission should also reaffirm that registration alone is not sufficient to render a booster compliant with the newly-adopted rules, and that no existing signal boosters will be permitted to operate without carrier consent.

As the Commission made clear in the Report and Order, existing consumer signal boosters may only be “grandfathered” into compliance if the booster (1) is operating with the consent of the relevant serving provider, and (2) is registered with that provider.¹⁷ CTIA supports the Commission’s adoption of this requirement, as well as its commitment that “our Enforcement Bureau stands ready to rigorously investigate any complaint of harmful interference associated with unauthorized signal booster use.”¹⁸

In making its request for a November 2014 registration deadline, EWA states that “[m]uch of this equipment has been in place for years, even decades, without being identified as a source of interference. . . .Operators of both types of already deployed signal boosters should be free to and even encouraged to register as soon as they have the information to do so.”¹⁹ As an initial matter, CTIA disagrees with EWA’s assertion regarding the interference effects of boosters, as the record has demonstrated numerous consumer booster models that have caused

¹⁷ *Id.* at ¶ 128.

¹⁸ *Id.*

¹⁹ EWA Petition at 5-6.

harmful interference. Nonetheless, CTIA is concerned by EWA’s implication that existing boosters can simply be “grandfathered” into compliance through the registration process alone. As the Commission makes clear in the Report and Order and in its new rules governing booster operation, existing nonconforming signal boosters may only be permitted to operate if they are provider-registered and *are operating with their service provider’s consent*.²⁰ In other words, the Commission has properly concluded that existing signal boosters are not simply “grandfathered” through the registration process, but rather that no one may operate a signal booster without carrier consent. While the Report and Order and rules make this fact clear, CTIA asks the Commission – to the extent necessary – to reaffirm this finding in responding to EWA’s petition.

²⁰ See also 47 C.F.R. § 20.21(a)(1) (“A subscriber in good standing of a commercial mobile radio service system may operate a Consumer Signal Booster for personal use under the authorization held by the licensee providing service to the subscriber provided that the subscriber complies with paragraphs (a)(1) through (a)(6) below . . . (1) Prior to operation, the subscriber obtains the consent of the licensee providing service to the subscriber. . .”).

III. CONCLUSION

The requirements adopted by the Commission in the Report and Order will lead to the development of more robust and protective signal boosters, while empowering the operators of wireless and public safety networks to protect their consumers from interference. It is critically important that this framework take effect as early as possible. For this reason, CTIA urges the Commission to maintain its existing deadline for signal booster registration, and to reaffirm once more that carrier consent is a required prerequisite to the operation of a consumer signal booster.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Patricia Destajo, hereby certify that on June 21, 2013 a true and correct copy of the attached Opposition was served, via hand delivery, on the following:

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