



July 18, 2013

Response to FCC request for Interfering with Cell phone communication.

We applaud the efforts of the FCC to provide rulemaking in order to facilitate the use of various systems involved in the prevention of the use of cell phones by correctional facility inmates. Over the past few years we have been involved in trying to forward these efforts and our two petitions that the FCC has taken notice of provides the framework for progress.

CellAntenna is an expert in the field of lawful interfering with cell phone (and other RF) communication, worldwide. We provide three types of engineered systems: jamming, cell phone detection and a unique solution known as Guardian Service. We have a patent pending involved in the combining of a distributed antenna system with cell phone control technology including managed access. With our experience in DAS systems, we have assisted and currently are involved in providing a managed access provider with the ability to control communication in the confines of the difficult location within a city. In all cases, we have been successful at proving, deploying and operating all of our technology without interfering with legal RF communication.

It is important to note that we do not believe that any one system can be deployed in every situation within the correctional facilities. Several factors need to be taken into consideration that include cost, inmate population size, rural or urban location, and security requirements. As such there should be no limitation to the type of system that needs to be deployed as long as there is no interference of legally allowed RF communication.

In most states, it is illegal to possess, call or receive a call on a cell phone in a correctional facility. As well, in some states, knowingly calling an inmate that may possess a cell phone is illegal. In most correctional facilities around the country, the use of a cell phone by staff, officers, visitors, inmates - anyone, is prohibited.

We believe that the process of deployment of managed access technology needs to be streamlined, in similar fashion as the FCC has indicated in their rule making proposal. Technologies similar to managed access need also be included and given the same preference as others.

Jamming Systems:

We have successfully deployed and are currently contracted to deploy jamming systems for government entities outside of the United States. Our jamming systems are controlled, targeted within a distributed antenna system, that do not interfere with ANY radio frequency communication outside of a targeted facility. We believe that jamming technology, properly engineered is one of the solutions that can be deployed safely and should pose no concern to the public or the cellular carriers. Jamming is a good solution for facilities that are less than 1800 inmates, and is needed when 100% control of a secure



facility is required. It is an essential strategy and should be allowed to be deployed in correctional facilities in the United States, where 911 use is not required (see below).

Guardian Service:

We deploy the Guardian Service, a system detects cell phones by their identification parameters including IMEI, IMSI, MIN and ESN. Confined to a distributed antenna system, we can control those areas that need to be targeted with in a prison facility without collecting information outside of the prison. We prepare a list of cell phones found sorted by the cellular provider of service. Removed from this list are M2M cellular modules, and any other cell phone legally allowed (if any) to be used in the facility. This list is sent to the carriers for them to review and unsubscribe the cell phones found, rendering them useless.

There are several important points of this system. First, we do not believe in expediency and allow a period of time to take place prior to unsubscribing the cell phone. We suggested 24 hours in our petition, but can be up to 2 weeks. Once the phone is unsubscribed, it is of no value to the inmate, and the funds on the particular account are forfeited.

Second, our system is portable and can be moved from facility to facility. This allows for the sharing of the costs of the equipment, and as such makes this system affordable for smaller facilities. All that is initially required is a distributed antenna system, no different than those deployed in any other building used to enhance cell phone communication. This is an affordable system to most of the smaller facilities in the United States.

All that is required is that the cellular carriers unsubscribe the cell phones upon receipt of a list by the head official of a correctional facility. Court orders, although preferred by some respondents, should not be required since in the end, the carriers will unsubscribe the cell phones anyway.

911 calls:

We have always believed that the issue of 911 calls occurring within a facility is a non-issue. There is no reason to allow any 911 calls. There are sufficient more reliable systems in a facility that are in place for the use of correctional officers, then cell phones. The provision of allowing a 911 call to take place in any managed access system has increased the cost of the system. It should be removed from any requirement for any cell phone control technology.

Cooperation is Key.

It is our belief that the long term success of any system requires the participation of the carriers in one form or another.

For instance, if signal levels at any facility are too strong due to either power levels of the carrier's tower or due to the direction of the antennas (in some cases pointing right at the facility) power levels of the cell phone control technology need to be increased. However, cellular providers can reduce power levels, and adjust the direction of antennas to make any cell phone control equipment more effective.



This level of cooperation has not taken place in the industry with the responsibility of making any system work in any condition on the provider of cell phone control systems.

Service Termination

The FCC requirement that CMRS providers terminate service to any device identified by a qualifying authority is essential to providing cell phone control in a facility. As previously stated, if a list has been properly vetted by the authorities and provided to CMRS provider to which the device is subscribed, then the unsubscription of the cell phone, or 'bricking' of it should be done without question.

Any cell phone unsubscribed can still make a 911 call, and, more importantly can be re-subscribed in case of error.

Our previous mention of 24 hours should be changed to a period of time no greater than two weeks. However, in the case of emergency situation, when requested, all efforts to unsubscribe the cell phone should be made expediently.

It is important to note that the provision to unsubscribe a cell phone that is illegal is redundant, since it is illegal to supply any criminal with any service of any kind in the first place. There is no provision within the 1934 Communications Act that allows the illegal use of any RF device. Since in most states it is illegal to use a cell phone in a correctional facility, once the carrier is so notified of an illegal device, there is no reason for the carrier not to disconnect service. Furthermore, in the contract between customer and carrier, there already is a provision that allows the carrier to disconnect service if the service is being used for illegal purposes. The obvious fact therefore is that no court order is needed - Only notification from a reliable authority that it has found cell phones being used illegally is required for the cell phone to be disconnected. As such, the changes proposed to article 20.21 are only to make it perfectly clear, and aid the CMRS providers in making the right decision.

Conclusion

Given the risk to both public safety and national security, the FCC should adopt the proposed rulemaking as soon as possible.

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