

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

In the Matter of)	
)	
Reassessment of Federal Communications Commission Radiofrequency Exposure Limits and Policies)	ET Docket No. 13-84
)	
Proposed Changes in the Commission's Rules Regarding Human Exposure to Radiofrequency Electromagnetic Fields)	ET Docket No. 03-137
)	

Comments
on Behalf of
Cohen, Dippell and Everist, P.C.

The following comments are submitted on behalf of Cohen, Dippell and Everist, P.C. (“CDE”) and is in response to the First Report and Order Further Notice of Proposed Rule Making and Notice of Inquiry adopted March 27, 2013 and released on March 29, 2013. CDE and its predecessors have practiced before the Federal Communications Commission (“FCC”) for over 75 years in broadcast and telecommunications matters. The firm or its predecessors have been located in Washington, DC since 1937 and performed professional consulting engineering services to the communications industry.

The undersigned is licensed as a Professional Engineer in the District of Columbia and has been in continuous employment with this firm or its predecessors for over fifty (50) years.

This firm congratulates the Commission for its Notice of Proposed Rule Making and the wide ranging and depth of the proposed rule making.

This firm will limit most of its comments to the areas which it has had experience for the past 25 years.

A. *Definition of Terms Related to the Commission's Further Proposals*

The firm supports the definitions maximum time-averaged ERP and the available maximum time-averaged power as well as clarifying the terms "exemption" and "exclusion."

B. *Exemption: Power and Distance Criteria to Streamline Determination of Compliance*

The proposed exemption of 1 mW for medical devices is supported. The proposed exemption of 1 mW for non-medical devices should be exercised with caution. Since most devices are software configured, how will the Commission insure that a device to operate at 1 mW is not reconfigured to operate at a higher power? One only has to recall the so-called citizen band devices that were reconfigured for substantially higher power.

C. *Proximity Restriction and Disclosure Requirements for Fixed RF Sources*

This firm supports the type of signage described by the NAB Engineering Handbook, 10th Edition, Chapter 2.4.

D. *Consistency in Usage of Any Valid Method for SAR Computation*

This firm supports for SAR computation valid and consistent methodology. One only has to look at the differences in FM elevation patterns by different antenna manufacturers for similar styled antennas. All computation methodology must be clearly documented. The following provides this firm's comments concerning this general issue in Docket No. 03-137

dated December 2003 and is as follows:

“Consistent Evaluation Criteria

Support is given to the proposed rules whereby assessment under routine evaluation be consistent among the various services. This will permit radio frequency exposure assessments to provide more uniform evaluation of those active emitters that should be included or categorically excluded particularly in more complicated assessment situations.”

E. *Exposure Limits*

This firm supports the current exposure limits as they relate to broadcast and communication sites.

F. *Averaging Area*

This firm, for broadcast and communication sites, supports the current industry practice of a vertical sweep by the probe from 2 meters to 20 centimeters above ground. Anomalous condition warrant special consideration.

G. *Contact Currents*

This firm understands the Commission’s desire to be able to make outside parties aware of the safety issue in the vicinity of AM broadcast facilities. However, absent any special notification, this firm believes that this issue remains a “case-by-case” basis.

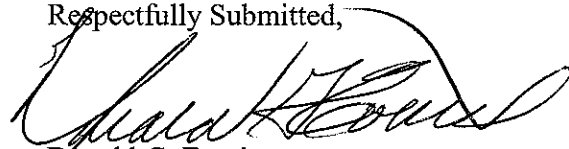
H. *Consumer Information*

The undersigned has not, to his knowledge, seen any useful information about the exposure from a cell phone when purchasing the cell phone nor when visiting a cell phone outlet.

Additionally, the Commission has asked interested parties for suggestions for changes to OET Bulletin 56, 65 and the KDB. This firm believes the Commission should update OET Bulletins 56 and 65 where appropriate. However, it should remain in a readable style sufficient for the public at large to be given some useful insight when they are interested in the radiofrequency field exposure issue. This firm when the issue arise in a particular area or at a transmission site refers the interested party to these bulletins.

With reference to the KDB, this firm, while it recognizes the need to keep abreast of the fast moving area, there are concerns that arise. What if there is doubt about what is provided in the KDB -- what is the recourse? What if the Commission, as it has done several times within the past 30 years, completely revamp the predecessors to the current OET? What if the next bureau reconfiguration is staffed by persons that are not familiar with this field and they start revising or adding to the KDB? When information is contained in bulletins such as OET-56 and OET-65, there is some process even though it may be lengthy. Finally, will the KDB be written so that the public at large can gain useful information to relate to their particular situation?

Respectfully Submitted,



Donald G. Everist
D.C. Professional Engineer
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DATE: September 3, 2013