

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 Radiofrequency Equipment)
) ET Docket No. 13-44
Amendment of Part 68 regarding) RM-11652
Approval of Terminal Equipment by)
Telecommunications)
Certification Bodies)

EX PARTE COMMENTS

The American National Standards Institute Accredited Standards Committee C63® (“ASC C63®”) submits these Ex Parte Comments in the above-captioned Federal Communications Commission (“Commission”) proceeding.¹ Last year, ASC C63® submitted Comments and Reply Comments in this proceeding which supported the proposal to update the Commission’s rules to cross reference the standards known as ANSI C63.4-2009: “*Methods of Measurement of Radio-Noise Emissions from Low-Voltage Electrical and Electronic Equipment in the Range of 9 kHz to 40 GHz*” (“C63.4-2009”) and ANSI C63.10-2009: “*American National Standard for Testing Unlicensed Wireless Devices*” (“C63.10-2009”). In its filings, ASC C63® also advised the Commission that updated versions of C63.4-2009 and C63.10-2009 were expected to be published later in 2013. Indeed, since submitting its Comments and

¹ In the Matter of Amendment of Parts 0,1, 2, and 15 of the Commission’s Rules regarding Authorization of Radiofrequency Equipment and Amendment of Part 68 regarding Approval of Terminal Equipment by Telecommunications Certification Bodies, ET Docket No. 13-44, RM-11652, *Notice of Proposed Rulemaking* (rel. February 15, 2013) (“NPRM”).

Reply Comments in this proceeding, an updated version of the C63.10 standard was published. As discussed more fully herein, ASC C63® respectfully requests that the Commission update its rules to cross reference the 2013 version of this standard, rather than the 2009 version.

In addition, an updated version of the ANSI C63.17-2013 standard, entitled “*Methods of Measurement of the Electromagnetic and Operational Compatibility of Unlicensed Personal Communications Services (UPCS) Devices,*” (“C63.17-2013”) was published in late 2013. Even though the C63.17-2013 standard was not discussed in the NPRM or in ASC C63®’s prior filings in this proceeding, ASC C63® respectfully requests that the Commission update its rules to cross reference the updated C63.17-2013 standard to replace current references in the Commission’s rules to the C63.17-2006 standard for the reasons discussed herein.

Background

ASC C63® is a voluntary standards making organization accredited by the American National Standards Institute, Inc. with the Institute of Electrical and Electronics Engineers, Inc. as the Secretariat. ASC C63® has been an American consensus body for over 50 years. ASC C63® meets the ANSI requirements for balanced representation of its membership. The balance ensures that all parties are represented including government organizations, manufacturers, test laboratories and other professional organizations. It is important to note the Commission has been an active ASC C63® participant. This close cooperation between government and industry has resulted in the “incorporation by reference” of a number of voluntary test procedure standards into the Commission’s rules.

ASC C63 continually strives to update and improve its standards to reflect changes in technology and to promote the public interest. For example, the technical improvements of new standards will promote testing accuracy, repeatability and reproducibility of test results. However, these benefits are not fully realized when there is a significant delay in incorporating these new standards into the Commission's rules. For these reasons, ASC C63® is submitting these Ex Parte Comments in an effort to keep the Commission's rules as current as possible with relevant consensus standards.

C63.10-2013 Standard

C63.10-2013, entitled "*American National Standard of Procedures for Compliance Testing of Unlicensed Wireless Devices*," was published on September 13, 2013 ("C63.10-2013"). It supersedes C63.10-2009, which contained procedures for determining compliance of a wide variety of unlicensed transmitters (also called "intentional radiators") operating under Part 15 of the FCC Rules. In both its Comments and Reply Comments in this proceeding, ASC C63® asked the Commission to require compliance with the C63.4-2009 and C63.10-2009 standards as applicable (rather than the outdated C63.4-2003 version).

However, the C63.10-2013 standard further improves various aspects of the C63.10-2009 standard. For example, C63.10-2013 clarifies instrumentation requirements and a number of the procedures set forth in C63.10-2009 such as detector and antenna requirements, use of spectrum analyzers, out-of-band emission (OOBE) and band edge requirements, millimeter wave procedures, and measurements below 30 MHz and above 1 GHz. It also adds a number of new procedures for wireless devices using new technology (e.g., Digital Transmission Systems (DTS), Unlicensed National Informative Infrastructure (U-NII) devices, FM transmitters in vehicles, Inductive Loop devices). A number of these procedures and clarifications were developed in cooperation with Commission staff and incorporate recent KDB interpretation

publications.² C63.10-2013 goes beyond what is contained in C63.10-2009 and, consequently, ASC C63® believes it is in the public interest for the Commission to “incorporate by reference” C63.10-2013 into the Commission’s rules.

C63.17-2013 Standard

C63.17-2006 is currently referenced in Section 15.31(a)(2) of the Commission’s rules.³ However, on October 9, 2013, C63.17-2013 was published by ANSI. This version supersedes C63.17-2006, which contains test procedures for verifying the compliance of unlicensed personal communications services (UPCS) devices (including wideband voice and data devices). This standard established applicable regulatory requirements regarding radio-frequency emission levels and spectrum access procedures.

The procedures set forth in C63.17 are used to test UPCS devices permitted pursuant to Part 15, Subpart D of the Commission’s rules. The emissions and operational characteristics of UPCS devices are the basic parameters affecting UPCS coexistence with other electronic devices and systems. In particular, compliance with C63.17 may be used to demonstrate electromagnetic compatibility with other UPCS systems and other systems operating in the same and adjacent frequency bands.

² The FCC Office of Engineering and Technology (OET) publishes equipment authorization procedures and measurement guidance in the form of FCC Public Notices and Knowledge Database (KDB) publications. The staff guidance provided in the KDB is intended to assist the public in following Commission requirements and does not constitute rules. Accordingly, the guidance is not binding on the Commission and will not prevent the Commission from making a different decision in any matter that comes to its attention for resolution. See <https://apps.fcc.gov/oetcf/kdb/index.cfm>.

³ The C63.17 standard, originally published in 1998, was revised in 2006 as result of rule changes in 2004 and was developed in cooperation with representatives of the Wireless Information Networks Forum (WINForum) and other interested parties. C63.17-2006 was “incorporated by reference” into the Commission’s rules in 2012. *See* Unlicensed Personal Communications Service Devices in the 1920-1930 MHz Band, 77 Fed. Reg. 43,008 (July 23, 2012).

In July of 2012, the FCC revised its rules governing the 1920 - 1930 MHz UPCS band. These rule revisions facilitate the implementation of improved services utilizing this band. Similarly, the revised 2013 version of the C63.17 standard (which relate to these rule changes) will facilitate the implementation of these improved services utilizing this band. Therefore, ASC C63® believes that it is in the public interest for the Commission to incorporate by reference the C63.17-2013 standard into the Commission's rules.

Conclusion

We thank the Commission for this opportunity to share our additional comments in this proceeding. The new revisions of C63.10 and C63.17 are improved versions of the earlier standards. ASC C63® recommends the "*incorporation by reference*" of the two new versions of both standards into the Commission's rules as soon as possible.

Respectfully submitted,

**American National Standards Institute
Accredited Standards Committee C63®**

/s/ Mr. Daniel Hoolihan

Chairman,
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