

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

In the Matter of)	
)	
Revision of Part 15 of the Commission’s)	ET Docket No. 13-49
Rules to Permit Unlicensed National)	
Information Infrastructure (U-NII) Devices in)	
the 5 GHz Band)	
)	

**REPLY OF MOTOROLA SOLUTIONS, INC. TO THE CONSOLIDATED REPOSE
OF CISCO SYSTEMS, INC. TO PETITIONS FOR RECONSIDERATION**

Motorola Solutions, Inc. (“Motorola Solutions”) hereby files this Reply to the Consolidated Response of Cisco Systems, Inc. (“Cisco”) to Petitions for Reconsideration¹ of the Federal Communications Commission’s (“Commission”) First Report and Order revising the Unlicensed National Information Infrastructure (“U-NII”) rules for devices operating in the 5.150-5.925 GHz (“5 GHz”) band.² Specifically, Motorola Solutions wishes to clarify that its Petition for Partial Reconsideration³ was not intended to extend the deadline for introduction of enhanced security features to previously certified devices. Motorola Solutions does not oppose the Commission’s goal to expeditiously implement enhanced security features across all U-NII devices.

¹ See Consolidated Response of Cisco Systems, Inc. to Petitions for Reconsideration, ET Docket No. 13-49 (filed Aug. 14, 2014) (“Cisco Response”).

² See Revision of Part 15 of the Commission’s Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band, ET Docket No. 13-49, *First Report and Order*, 29 FCC Rcd 4127 (2013) (“First Report and Order”).

³ See Petition of Motorola Solutions, Inc. for Partial Reconsideration, ET Docket No. 13-49 (filed June 2, 2014) (“MSI Petition”).

I. INTRODUCTION

Motorola Solutions has been an active participant in this proceeding and commends the Commission's efforts to encourage innovation and expanded unlicensed use of the 5 GHz U-NII spectrum. As explained in its Petition for Partial Reconsideration, Motorola Solutions supports the majority of the actions taken in the First Report and Order, including the expanded utility of the U-NII-1 band, adoption of sensible security requirements for U-NII devices, protections for Terminal Doppler Weather Radar ("TDWR") and other radar systems, and—for the most part—the clarification and consolidation of the rules applicable to the expanded 5.725-5.850 GHz U-NII-3 band. The sole issue raised in Motorola Solutions' Petition was the transition schedule adopted by the Commission for implementing the revisions to the U-NII-3 band. Because of the significant challenges and limited benefits involved in adapting its 5 GHz WLAN products to the stricter out-of-band emissions ("OOBE") rules of Section 15.407, Motorola Solutions asked the Commission to reconsider its implementation schedule and provide additional time for manufacturers to market devices certified under the technical requirements of Section 15.247.

Since filing its Petition, Motorola Solutions filed comments agreeing with parties that have asked the Commission to reconsider the substantive OOBE limit altogether because the less stringent Section 15.247 OOBE limits better serve Americans who rely upon wireless Internet service providers ("WISPs") for their home Internet service while creating little likelihood of harmful interference to services in adjacent bands.⁴ Motorola Solutions maintains that

⁴ See Comments of Motorola Solutions, Inc., ET Docket No. 13-49 (filed Aug. 14, 2014) ("MSI Comments"); see also Petition for Partial Reconsideration of the Wireless Internet Service Providers Association, ET Docket No. 13-49 (filed June 2, 2014); Petition for Partial Reconsideration of JAB Wireless, Inc., ET Docket No. 13-49 (filed June 2, 2014); Petition for Reconsideration of Cambium Networks, Ltd., ET Docket No. 13-49 (filed June 2, 2014); Petition for Partial Reconsideration of Mimosa Networks, Inc., ET Docket No. 13-49 (filed June 2, 2014).

reconsideration of the OOB limit would be the best way to address the burdens placed on industry and consumers by the new rules while still ensuring prompt adoption of the enhanced security requirements.

II. MOTOROLA SOLUTIONS DOES NOT SEEK TO EXTEND THE PERIOD OF TIME TO INTRODUCE ENHANCED SECURITY FEATURES TO U-NII DEVICES.

In its Response, Cisco mistakenly asserts that Motorola Solutions intends to delay the introduction of enhanced security requirements for U-NII-3 certified devices that are designed to prevent modification of those devices to operate in bands where DFS is required to protect TDWR.⁵ Indeed, Cisco claims that Motorola Solutions wishes to sell “in perpetuity” equipment that does not comply with the new security requirements.⁶ Cisco asks the Commission to ensure that “any extension that delays the introduction of enhanced security features [] be as brief as possible, and certainly [] not be indefinite as asked by [Motorola Solutions].”⁷

Cisco mischaracterizes Motorola Solutions’ intent. To be clear, Motorola Solutions seeks no delay to the introduction of enhanced security features. Motorola Solutions’ Petition argued that manufacturers need additional time to market devices certified pursuant to the technical requirements of Section 15.247 because upgrading, testing, and re-certifying previously authorized equipment—which in the case of Motorola Solutions’ product line consists of hundreds of products—pursuant to the revised technical rules cannot realistically be finished within a two-year timeframe. Motorola Solutions made clear in its Petition that this was primarily because of the burden in complying with the new OOB limits of Section 15.407.⁸

⁵ See Cisco Response at 14-15.

⁶ See Cisco Response at 14.

⁷ See Cisco Response at 15.

⁸ MSI Petition at n.8.

The Commission should not force manufacturers, service providers, and consumers to bear the cost of this unnecessarily accelerated transition, especially where there is neither evidence nor a credible suggestion that rules-compliant operations pursuant to the OOB limits of Section 15.247 has caused any harmful interference to TDWR or other adjacent protected systems.⁹ Indeed, as the Commission explained in justifying its decision to grandfather devices that have already been installed and operating pursuant to Section 15.247, “large numbers of 5 GHz U-NII devices are already in the marketplace and pose no threat of harmful interference unless they are modified in violation of the Commission’s rules.”¹⁰

Motorola Solutions has no issue with expeditiously introducing new security features to prevent unauthorized operation of U-NII-3 equipment. In fact, the vast majority of Motorola Solutions’ affected 5 GHz products already comply with the enhanced security features.¹¹ Cisco’s claim that Motorola Solutions wishes to sell non-compliant devices “in perpetuity” is grossly exaggerated. Motorola Solutions did not request reconsideration of the implementation timeframe for the requirement that new equipment be certified pursuant to the updated rules; its request was limited to the period of time in which equipment previously certified under the legacy rules could continue to be manufactured and marketed. As Cisco is well aware, manufacturers in this industry simply cannot, as a practical matter, market the current iteration of their products “in perpetuity” —the pace of innovation and customer demand dictates that product lines are refreshed quickly. To keep up with the evolving market, Motorola Solutions must create and certify new devices that are compliant under the Commission’s rules. Even

⁹ See, e.g., MSI Comments at 4-5.

¹⁰ First Report and Order, 29 FCC Rcd at 4162, ¶ 130.

¹¹ Motorola Solutions now manufactures and markets only Wi-Fi-based products for the 5 GHz U-NII bands.

without a predetermined sunset date, market forces would effectuate a quick sunset of the legacy equipment, likely even within the five year transition time frame originally recommended by Motorola Solutions.¹² Thus, Cisco's assertion that Motorola Solutions wishes to market its current products "in perpetuity" completely ignores the realities of the marketplace and is plainly false.

III. CONCLUSION

Motorola Solutions broadly supports the Commission's efforts to promote expanded unlicensed use of the 5 GHz band. Motorola Solutions' Petition for Partial Reconsideration sought a reasonable extension of time for continued manufacture and marketing of equipment certified under the technical requirements of Section 15.247 of the Commission's rules. Motorola Solutions has no problem with expeditiously introducing enhanced security features and Cisco's claim to the contrary is unfounded. Indeed, as explained in Motorola Solutions' previous comments, the simplest way to address the challenges identified by Motorola Solutions and still ensure the new security requirements are promptly implemented would be for the Commission to reconsider the overly stringent OOBE limits applied to U-NII-3 devices under Section 15.407 and instead revert to the sensible limits previously imposed under Section 15.247.

Respectfully submitted,

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¹² See Comments of Motorola Solutions, Inc. at 12, ET Docket No. 13-49 (filed May 28, 2013).