Federal Communications Commission
Washington, D.C. 20554

DA 04-4062
Released: December 30, 2004

Mr. David Cavossa
Executive Director
Satellite Industry Association
1730 M Street, NW, Suite 600
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Re: *Petition for Rulemaking Proposing to Amend Section 15.109(h) of the Commission's Rules Regarding Emissions from Radar Detectors in the Ka Band*

This letter responds to the petition for rulemaking ("Petition") filed on behalf of the Satellite Industry Association ("SIA") on May 28, 2003.[1] The Petition seeks to require radar detectors to comply with a 500 µV/meter limit within Ka satellite band downlink frequencies at 18.3-18.8 GHz and 19.7-20.2 GHz. For the reasons discussed below, we dismiss SIA's petition without prejudice.[2]

SIA's Petition was placed on Public Notice on June 26, 2003. The only comments filed in response to the Petition were Reply Comments filed by SIA on August 12, 2003. To date, there have been no further filings either by SIA or any other party.

In its Petition, SIA asserts that in light of the then-impending launch of several Ka band satellites, the adoption of its proposed emissions limits for radar detectors would "forestall even the possibility" that radar detector operations will interfere with the new services provided by Ka band satellites.[3] SIA buttresses its argument by asserting that, without the imposition of its proposed emissions limits, emissions by radar detectors in the Ka band will cause harmful interference in much the same way as radar detectors previously did in the Ku satellite band – 11.7-12.2 GHz.

As SIA readily acknowledges, the Commission both recognized and took the necessary steps to ameliorate any potential harmful interference caused by emissions from radar detectors in the Ku band.[4] The need for such action arose because manufacturers of radar detectors operating in the 10.525 GHz band chose to employ local oscillators operating in the nearby 11.7-12.2 GHz Ku satellite band.

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[1] We note that the petition was filed by then-President of SIA, Mr. Richard DalBello. Mr. Cavossa is Mr. DalBello's successor.
[2] Section 1.401(e) of the Commissions rules reads as follows: "Petitions which are moot, premature, repetitive, frivolous, or which plainly do not warrant consideration by the Commission may be denied or dismissed without prejudice to the petitioner." 47 C.F.R. § 1.401(e).
[3] SIA Petition at 2.
[4] *Review of Part 15 and other Parts of the Commission's Rules*, ET Docket 01-278, First Report and Order, 17 FCC Rcd 14063 (2002).

The bands of operation for police radars are the 10.525 GHz, the 24.150 GHz, and the 34.700 GHz bands. Unlike the case with the Ku satellite band, these police radar bands are not located in close proximity to the 18.3-18.8 GHz and 19.7-20.2 GHz bands used by Ka band satellites. No information has been presented to suggest that radar detectors currently employ local oscillators operating in the Ka satellite band, nor is any information presented suggesting that such designs are planned in the future. Also, there is no information in the record suggesting that there are any other spurious emissions that are significant. Indeed, given the dearth of comments filed in response to the Public Notice, and, in addition, in light of the fact that in the intervening eighteen months since SIA's filed its petition, there have been no reports of interference caused by radar detectors to satellite services in the Ka band, we have no basis for determining that the operation of radar detectors is causing or will cause harmful interference in the Ka band. As a result, SIA has presented no persuasive evidence to warrant consideration of its Petition at this time.

In light of the foregoing analysis, the Petition for Rulemaking filed by SIA on May 28, 2003 is dismissed without prejudice pursuant to Section 1.401(e) of the Commission's rules. This action is taken pursuant to authority delegated by Sections 0.331 of the Commission's rules, 47 C.F.R. § 0.331.

Sincerely,

Julius P. Knapp
Deputy Chief
Office of Engineering and Technology