



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

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## OFFICE OF ENGINEERING AND TECHNOLOGY SEEKS ADDITIONAL COMMENT ON PETITIONS FOR RECONSIDERATION FOR UNLICENSED NATIONAL INFORMATION INFRASTRUCTURE DEVICES

ET Docket No. 03-122

**Comment Date:** [insert date 10 after days after date of publication in the Federal Register]  
**Reply Comment Date:** [insert date 15 days after date of publication in the Federal Register]

By this Public Notice, the Office of Engineering and Technology (OET) seeks to refresh the record on issues raised in petitions for reconsideration of the *Report and Order* in the above proceeding. The petitions sought reconsideration and clarification, in part, of the equipment authorization requirements for Unlicensed National Information Infrastructure (U-NII) devices employing dynamic frequency selection (DFS). The International Telecommunication Advisory Committee-Radiocommunication (ITAC-R) Government/Industry Project Team (Project Team) recently reached consensus on revised compliance and measurement procedures for DFS, and the National Telecommunications and Information Administration (NTIA) has presented these recommendations to the Commission.<sup>1</sup> NTIA notes that the revised procedures represent the Federal Government's requirements for compliance measurement procedures for U-NII devices employing DFS and include modified definitions, new response requirements, and reporting requirements compared to previous versions of the procedures.

On November 12, 2003, the Commission adopted a *Report and Order*, in the above proceeding, which amended Part 15 of the rules to make an additional 255 megahertz of spectrum available in the 5.470-5.725 GHz band for U-NII devices, including Radio Local Area

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<sup>1</sup> See Letter from Fredrick R. Wentland, Associate Administrator, NTIA to Julius Knapp, Deputy Chief, OET, filed March 30, 2006, and the enclosure *Compliance Measurement Procedures for Unlicensed National Information Infrastructure Devices Operating in the 5250-5350 MHz and 5470-5725 MHz bands Incorporating Dynamic Frequency Selection*. This document has been placed in the docket file for this proceeding.

Networks (RLANs).<sup>2</sup> In addition to making more spectrum available for use by U-NII devices, the Commission took steps to minimize the potential for these devices to cause interference to existing radiofrequency operations. Specifically, the Commission adopted requirements for U-NII devices in the 5.250-5.350 GHz and 5.470-5.725 GHz bands to employ DFS<sup>3</sup> and Transmit Power Control (TPC).<sup>4</sup> The Commission codified requirements for these U-NII devices in Part 15, Subpart E of its rules (47 C.F.R. § 15.401 *et seq.*).

In the *Report and Order*, the Commission also provided an interim measurement procedure to be used by the Commission and others in determining whether U-NII devices comply with the rules.<sup>5</sup> The Commission stated that the provisions of this test procedure would need to be modified as equipment was developed and as testing methodologies were refined. The Commission also stated that the OET Laboratory may issue updated measurement procedures in the future. The Project Team has worked since the release of the *Report and Order* to develop new measurement procedures for performing DFS compliance measurement tests for U-NII equipment operating in the 5.250-5.350 GHz and 5.470-5.725 MHz bands.

Globespan Virata (Globespan), Wi-Fi Alliance, and Extreme Networks filed petitions seeking clarification or reconsideration of various aspects of the rules adopted in the *Report and Order*. Globespan requests that the Commission revise the rules to state that U-NII devices are not required to detect and avoid frequency hopping radar signals. Globespan further requests that if it was the intent of the Commission to include frequency hopping radars in the DFS requirements, the Commission should specify a measurement procedure for this requirement.<sup>6</sup> Wi-Fi Alliance seeks clarification, in part, of the channel availability check time requirement in section 15.407(h)(2)(ii).<sup>7</sup> Finally, Extreme Networks seeks clarification of the definition of a U-NII central controller that must include DFS capability.<sup>8</sup>

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<sup>2</sup> See *Revision of Parts 2 and 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) devices in the 5 GHz band*, ET Docket No. 03-122, *Report and Order*, 18 FCC Rcd 24484 (2003).

<sup>3</sup> DFS is a feature that dynamically instructs a transmitter to switch to another channel whenever certain conditions (*e.g.*, a threshold value of the prevailing ambient interference level on a channel) are met. Prior to initiating and during a transmission, a U-NII device's DFS feature must monitor the available spectrum in which the device could operate for the presence of a radar signal. If a radar signal is detected, the channel used by the radar signal must either be vacated and/or flagged as unavailable for use by the U-NII device.

<sup>4</sup> TPC is a feature that regulates a device's transmit power in response to the level of an input signal or a command issued by a controller (*e.g.*, a command signal might be emitted by a controller to instruct a transmitter to increase power when the received signal falls below a predetermined threshold).

<sup>5</sup> The DFS Interim Test Procedure is contained in Appendix C of the *Report and Order*.

<sup>6</sup> Globespan Petition for Clarification or Reconsideration, filed February 19, 2004.

<sup>7</sup> Wi-Fi Alliance Motion for Clarification, filed February 19, 2004.

<sup>8</sup> Extreme Networks Comments, filed February 17, 2004.

OET notes that these petitions for reconsideration raise issues regarding DFS compliance and measurement procedures that are addressed in the Project Team's revised procedures. Therefore, in order to refresh the record, we seek additional comment on the DFS issues raised in the petitions filed by Globespan, Wi-Fi Alliance, and Extreme Networks and, in particular, how these issues are addressed by the Project Team's revised compliance and measurement procedures and the Commission's rules.

*Comments.* Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before [insert date 10 days from Federal Register publication date] and reply comments on or before [insert date 15 days from Federal Register publication date]. Comments may be filed using the Commission's Electronic Comment Filing Systems (ECFS) or by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceeding, 63 FR 24121, May 1, 1998.

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and reference ET Docket No. 03-122. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get for <your e-mail address>." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail or Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express mail, and Priority Mail should be addressed to 445 12<sup>th</sup> Street, SW., Washington, DC 20554.

All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communication Commission.

The full text of the Project Team's revised compliance measurement procedures is available for inspection and copying during normal business hours in Room CY-A257, 445 12<sup>th</sup> Street, SW., Washington, DC 20554 and may also be purchased from the Commission's duplication contractor, Best Copy and Printing, Inc., (800) 378-3160.

Office of Engineering and Technology contact: Shameeka Hunt at (202) 418-2062 or [Shameeka.Hunt@fcc.gov](mailto:Shameeka.Hunt@fcc.gov)