

**SEPARATE STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: Carrier Current Systems, including Broadband over Power Line Systems; ET Docket No. 03-104; Amendment of Part 15 Regarding New Requirements and Measurement Guidelines for Access Broadband over Power Line Systems; ET Docket No. 04-37, Notice of Proposed Rule Making

I recently had the opportunity to visit the demonstration of a Broadband over Power Line (BPL) system and was impressed by its potential. I believe that the Commission must do what it can to extend the benefits of the latest broadband technologies – such as broadband over power line – to all Americans, no matter where they live. I support our consideration of proposed changes to certain of our Part 15 rules to promote future BPL deployments. This is an important look at the technical issues and challenges posed by BPL. And I am encouraged by some of the proposals set forth in the NPRM to ensure that BPL systems do not cause harmful interference to existing services.

I have outlined an approach to spectrum management that promotes continued industry development and recognizes the unique traits of the electromagnetic radio spectrum as a national resource. It also reflects my belief that, in dealing with spectrum, the Commission has a responsibility to establish ground rules for issues such as interference and availability. Though power line broadband may not fall within the traditional scope of spectrum management, BPL systems use existing electrical power lines as a transmission medium to provide communications by coupling RF energy onto the power line.

While we must be mindful of harmful interference, we cannot let unsupported claims stand in the way of such an innovation as BPL systems. Provided that the engineering bears out, I believe that we need to push the boundaries to accommodate new technologies. A little noticed provision of the Communications Act, Section 157, reads that “[i]t shall be the policy of the United States to encourage the provision of new technologies and services to the public.” I am fully committed to that mission to promote new technologies, and to provide a framework for innovation so they can succeed. In order to do so, we must first resolve the technical interference issues addressed in this NPRM.