



FEDERAL COMMUNICATIONS COMMISSION

June 27, 2013

Mignon L. Clyburn
Acting Chairwoman

The Honorable Zoe Lofgren
U.S. House of Representatives
1401 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Lofgren:

Thank you for your letter regarding Progeny LMS, LLC. I appreciate your interest in this matter and am pleased to provide the enclosed letter on this issue from the Chief of the FCC's Office of Engineering and Technology.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Mignon L. Clyburn".

Mignon L. Clyburn

Enclosure



Federal Communications Commission
Washington, D.C. 20554

June 27, 2013

The Honorable Zoe Lofgren
U.S. House of Representatives
1401 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Lofgren:

Thank you for your letter to former chairman Julius Genachowski dated May 15, 2013 regarding Progeny LMS, LLC's petition to commence commercial operations of its position location service in the 902-928 MHz band. You request that the Commission ensure that the 902-928 MHz band remain available for use by unlicensed devices.

Progeny is a licensee in the Multilateration Location and Monitoring Service (M-LMS) in the 902-928 MHz band that is also available for use by unlicensed devices under Part 15 of the Commission's rules. As a general matter, users of Part 15 devices are required to accept interference caused by licensed operations. As you point out, the M-LMS rules require licensees such as Progeny to demonstrate through actual field tests that their operation will not cause unacceptable levels of interference to Part 15 devices.

Progeny has performed field testing as required by the rules and submitted the results of four sets of field tests to the Commission. Based on the Commission's evaluation of these tests, the Commission determined that Progeny has met the necessary requirements for commencing commercial operations of its position location service, subject to certain specified conditions. In particular, this approval is conditioned on Progeny's providing public notifications concerning its deployment, establishing processes to address interference concerns, and submitting reports over the next 18 months on any interference complaints that it may receive. The Commission plans to closely monitor ongoing developments as Progeny deploys its network and stands ready to take any steps necessary to promote the co-existence of Progeny's licensed service and unlicensed operations in the band.

I appreciate your interest in this very important matter. A copy of the Commission's order is attached. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink that reads "Julius P. Knapp". The signature is fluid and cursive, with the first name being the most prominent.

Julius P. Knapp
Chief,
Office of Engineering and Technology