

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Interference Immunity Performance Specifications for Radio Receivers)	ET Docket No. 03-65
)	

ORDER

Adopted: May 2, 2007

Released: May 4, 2007

By the Commission: Commissioners Cops and Adelstein concurring and issuing a joint statement.

1. On March 13, 2003, the Commission adopted a *Notice of Inquiry* (“*Notice*”) in this proceeding. In the *Notice*, the Commission sought information on whether it should incorporate receiver interference immunity performance specifications into spectrum policy decisions on a broad basis.¹

2. We find that with the passage of time, the *Notice* and record in this proceeding have become outdated. Further, to the extent receiver interference immunity performance specifications are desirable, they may be addressed in proceedings that are frequency band or service specific. As there does not appear to be a need for further Commission action at this time, we are terminating this proceeding without prejudice to its substantive merits. If any party wishes to pursue these issues in the future, nothing precludes us from evaluating them in the context of other proceedings.

3. Accordingly, IT IS ORDERED that, pursuant to Sections 4(i) and 4(j) of the Communications Act, 47 U.S.C. §§ 154(i) and 154(j), ET Docket No. 03-65 IS TERMINATED, effective upon issuance of this Order.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

¹ See *Notice of Inquiry*, ET Docket No. 03-65 and MM Docket No. 0-39, 18 FCC Rcd 6039 (2003).

**JOINT STATEMENT OF
COMMISSIONERS MICHAEL J. COPPS AND JONATHAN S. ADELSTEIN
CONCURRING**

Re: *Interference Immunity Performance Specifications for Radio Receivers*, Order
(ET Docket No. 03-65)

We have concerns about today's decision closing the Commission's inquiry into receiver performance regulation. As we stated when the Commission opened this docket, the agency has a statutory duty to encourage more efficient uses of the radio spectrum. The record the Commission has gathered in the ensuing period suggests that an integrated approach to regulating receiver performance could play an important role in achieving this goal.²

We understand that today's item does not foreclose the Commission from considering receiver standards in particular proceedings—or even from eventually issuing a general Notice of Proposed Rulemaking on the topic. If anything, the record the Commission has compiled so far indicates that receiver standards should be part of the discussion in many of the spectrum decisions our agency reaches. Accordingly, we hope that today's decision closing our *Notice of Inquiry* does not represent the end of the Commission's work in this important area.

² See, e.g., Comments of the National Telecommunications and Information Administration at 2 (stating that NTIA has successfully adopted receiver regulations into its management of federal spectrum and concluding that, when it comes to commercial spectrum, “the adoption of receiver spectrum standards will result in a significant reduction in instances of interference and permit a notable increase in the efficiency of the use of the radio spectrum.”)