108TH CONGRESS
2D SESSION

H. RES. 850

To express the sense of the House that the Federal Communications Commission should not enact rules authorizing Broadband Over Power Line Systems without a more comprehensive evaluation of the interference potential to Public Safety services and other licensed radio services.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2004

Mr. ROSS submitted the following resolution; which was referred to the Committee on Energy and Commerce

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RESOLUTION

To express the sense of the House that the Federal Communications Commission should not enact rules authorizing Broadband Over Power Line Systems without a more comprehensive evaluation of the interference potential to Public Safety services and other licensed radio services.

Whereas the Federal Communications Commission (hereinafter in this resolution referred to as ''the FCC'') has indicated that it will, in the Fall of 2004, vote on proposed rules establishing operating parameters for BPL Systems, ET Docket No. 04–37;

Whereas comprehensive studies and actual measurements to date undertaken by the National Telecommunications Information Administration (NTIA) have determined that BPL creates a ''high risk'' of radio wave interference,

and that harmful interference to public safety mobile radio receivers can be expected at distances of 75 meters from the power line where BPL is in operation, and at distances of up to 460 meters from fixed stations, such as VHF police or fire dispatch communications facilities;

Whereas that same NTIA study determined that BPL interference to aeronautical and airline travel communications could be expected at distances up to 40 kilometers from the center of the BPL system, and that interference to outer marker beacons for airline instrument landing systems could be expected at great distances as well;

Whereas in the collective view of the Association of Public Safety Officials, Inc. and the National Public Safety Telecommunications Council, the VHF low band (30–50 MHz) is used by many public safety agencies, including EMS, fire and law enforcement as well as public safety support services, and in thirteen states, for state police operations [of which, nine (California, Connecticut, Florida, Illinois, Indiana, Mississippi, Missouri, Nebraska, North Carolina, South Carolina, Tennessee, West Virginia and Wyoming) utilize that band as their primary radio band], and as a result urge that action in the BPL docket at FCC be withheld for at least twelve months, pending a conclusive determination of the radio waves interference potential of BPL to public safety and radio systems below 80 MHz;

Whereas comments filed in the FCC proceeding by the Missouri State Highway Patrol, which uses a statewide radio system with over 1400 users in the VHF low band, state that the overall effect of BPL implementation will be a potentially significant increase in interference to the mission of critical public safety communications; and

Whereas the FCC has struggled for years to resolve widespread instances of harmful interference to the 800 MHz communications of our heroic first responders, and should not proceed with introduction of a technology which could cause destructive interference to police, fire, EMS and other public safety radio systems, operating below 80 MHZ, VHF low band: Now, therefore, be it

Resolved, That it is the sense of the House that—

(1) the FCC should not take any action in the BPL proceeding that could disrupt public safety radio systems, or adopt only reactive measures for resolving cases of harmful interference to public safety systems;

(2) the FCC should withhold action in ET Docket No. 04–37 pending a full and complete radio wave interference analysis involving field studies and BPL test demonstration systems, to determine the actual, measured effect of BPL on public safety systems, and a comprehensive interference analysis, with the participation of public safety agencies and organizations; and

(3) the FCC should allow extensive public review and comment on this study, and the results of the study, and a summary of the public comment thereon should be published before any rules are finally adopted in ET Docket No. 04–37.

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