

Central Division News & Views

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What Can We Do About BPL Now?

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FCC Approves ET Dockets 03-104 and 04-37 on October 14, 2004

By now, the majority of you already know that BPL has been approved by the FCC. The Commission's Report and Order on these two dockets will take effect when they are published in the *Federal Register*. This set of BPL-specific regulations, when officially published, should be a slight improvement over the current Part 15 regulations that are being used to operate BPL networks. But even so, there will be glaring regulatory omissions that should have been included in order to give licensed users of the same spectrum segments an effective regulatory process for getting rid of interfering BPL signals.

In terms of the normal speed that petitions are processed by the FCC, the Commissioners have shown an unholy haste to get BPL approved. I leave it to you readers to figure out all the political reasons for the rush. The underlying reason appears to be so the promoters and first tier investors can reap their profits before the whole BPL scheme implodes. And it will implode due to interference issues, system reliability, and the advent of microwave broad-band wireless technologies that will be cheaper to install, more reliable, and will not interfere with other licensed users of the RF spectrum. Estimates of when the BPL bubble will burst range from 3 to 10 years.

The ARRL Executive Committee authorized filing a Petition For Reconsideration with the FCC. Normally, dealing with such a petition consumes 6 months to a year. However, we can expect the FCC to race through this process and the legal delay will be minimal. But the League might succeed and the Commission will truly deliberate on the issues that will be raised in this petition. This process also completes the ARRL's use of all legal remedies outside of the federal court system.

The ARRL Executive Committee also authorized the legal research for a law suit against the FCC in the Federal Appeals Court. This would be an expensive and time-consuming process and can only be used for narrowly defined issues. However, if the League were to win, the entire BPL proceeding could be invalidated by the court.

Some BPL proponents are already concerned about the high cost per customer of serving rural areas. This high cost could be as much, or more, than a coaxial cable system and probably much more than a microwave wireless system serving a 20 mile radius area. It's quite possible, that wide-area wireless broad band service will be the Internet service of choice in the sparsely populated areas by the time BPL is widely deployed. If technology bypasses BPL before it totally pollutes the RF spectrum, we will have won the battle. Stay tuned and be prepared to generously respond to ARRL appeals for additional financial assistance.

The ARRL board has been working with the concept of regulating HF band plans by signal bandwidth rather than the various Part 97 defined modes such as CW, SSB AM Phone, Packet, etc. The growing number and use of digital signal technologies is making our current mode definitions obsolete in terms of preventing, or at least reducing, interference between our various RF communication "modes". This concept has been around for several decades. But it is only in the last few years, that the proliferation of new digital signal types is becoming a problem. I understand the theory behind regulation by bandwidth is that such a legal structure would not readily be out-dated by new technologies. Having said this, somebody will soon invent a totally new communications method that will put holes in this concept. But we must press ahead in order to keep a small problem from getting worse.

At its July, 2004 meeting the board decided to post a synopsis of this proposal on the ARRL web site and to invite input by all hams - and charged the Executive Committee with making the tweaks to the proposal. While many of the email messages have been variations of "don't fix what is working", the board has received quite a number of complaints about potential user conflicts and a few suggestions for improving the proposal.

At its meeting on October 16, 2004, the Executive Committee developed the following proposed amendments to the draft bandwidth petition. These amendments will be considered by the full board at its January, 2005 meeting.

- * Retention of rules permitting automatically controlled digital stations (packet and other digital modes) in narrow HF subbands. The draft petition had proposed dropping these provisions.
- * A rule prohibiting so-called semi-automatic digital operation (automatic control in response to a communication initiated by a live operator) on frequencies below 28 MHz where phone is permitted. This addressed a concern that "robot" digital stations might take over the phone bands.
- * A segment for 3 kHz bandwidth (no phone) emissions at 10.135-10.150 MHz to accommodate existing and planned digital operations.
- * Deletion of the word "continuous" from the description of test transmissions authorized on most frequencies above 51 MHz.
- * Simplification of proposed changes to Part 97.309 to clarify that FCC-licensed amateur stations may use any published digital code as long as other rules are observed.

However, a word of caution about sub-bands... The FCC is biased towards eliminating sub-bands, not creating more in any radio service. There are many hams, including me, who believe total elimination of sub-bands is a bad idea. But we must not subdivide ourselves into uselessness either.

It looks like this bandwidth petition will not be going to the FCC until late next spring at the earliest. I urge those who have not read the petition synopsis posted on the ARRL web site to do so. It can be viewed at: <http://www.arrrl.org/announce/bandwidth.html>

Hamfest & Club Meeting Visits

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Here is my confirmed ARRL travel schedule for the rest of this year. It is subject to change if required ARRL meeting dates are changed or there are last minute transportation problems.

Nov 13 ARRL Indiana State Convention Fort Wayne, IN

73 - George R. (Dick) Isely, W9GIG
Central Division Director