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## **FCC Issues Public Notice Seeking Comment on Signal Boosters**

On January 6, 2010, the FCC issued a Public Notice seeking comment on three Petitions for Rulemaking and two Petitions for Declaratory Ruling (collectively “Petitions”) regarding the proper use of signal boosters on frequencies licensed under Parts 22, 24, 27 and 90 of the Commission’s rules.

Signal boosters are devices that amplify and/or distribute wireless signals to areas with poor signal coverage, such as tunnels, subways, large buildings and rural areas. When properly installed, these devices (which can either be fixed or mobile) help consumers, wireless service providers and public safety first responders by extending the area of reliable service to unserved or weak signal areas. However, improper installation and use of signal boosters may interfere with licensed network operations and cause interference to a range of communication services.

Section 90.219 of the Commission’s rules provide that private, land mobile licensees operating radio systems in the frequency bands above 150 MHz may employ signal boosters, so long as the boosters: (i) retransmit only the licensee’s authorized frequencies; (ii) do not expand the normal coverage area of the system; and (iii) the licensee corrects any harmful interference such equipment may cause other systems.

The FCC’s Enforcement Bureau has recently increased enforcement efforts regarding unauthorized use of signal boosters. Last month, the Bureau issued a Notice of Unlicensed Operation requiring License Holdings, LLC to cease operating a signal booster that interfered with AT&T’s commercial service in Fort Lauderdale, Florida.

The Petitions seek clarification of or changes to the Commission’s rules to address the proper use and regulation of signal boosters. The Public Notice seeks comment on the Petitions, which are summarized below:

- Bird Technologies – Rulemaking petition seeking to amend the Commission’s rules to outline the specific technical and operational requirements for the use of signal boosters by Part 90 licensees. This petition suggests that signal boosters should only be used with the full knowledge of the licensee.
- CTIA, the Wireless Association of America – Urges the FCC to clarify that the sale or use of signal boosters without consent of the commercial provider is unlawful.
- Jack Daniel d/b/a Jack Daniel Company – Seeks clarification of the operational and technical limits that apply to Part 90 wideband signal boosters. This petition also seeks a declaration that the FCC does not intend to regulate wideband signal boosters in such a manner to negate efforts by local governments and public safety entities to improve wireless coverage by mandating signal booster deployment.
- DAS Forum – Requests the FCC resolve interference issues attributable to signal boosters without resorting to unnecessary regulations that would likely inhibit the sale and installation of signal boosters, such as requiring prior licensee consent.
- Wilson Electronics, Inc. – Requests the FCC amend Part 20 of its rules to establish standards for the certification of signal boosters for subscriber use on commercial networks by developing equipment certification requirements to ensure boosters are available to the public.

Comments in this proceeding must be filed by February 5, 2010, and reply comments are due by February 22, 2010.

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