



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC TO EXAMINE BAN ON USING CELLULAR TELEPHONES ON AIRBORNE AIRCRAFT

WASHINGTON, D.C. – Today, the Federal Communications Commission proposed to relax its current ban on the use of cellular telephones on airborne aircraft. The Commission addressed policy and technical options for permitting controlled use of cellular handsets and other wireless devices in airborne aircraft as a means to increase communication options available to the traveling public as well as public safety personnel. The Commission’s rules currently require that cellular handsets be turned off once an aircraft leaves the ground to avoid interfering with terrestrial cellular systems. Federal Aviation Administration (FAA) regulations also currently restrict the use of mobile telephones and other portable electronic devices (PEDs) on aircraft to ensure against interference to onboard communications and navigation equipment.

The Commission cautioned that any steps it ultimately takes with respect to the use of cellular and other wireless devices aboard aircraft would be subject to the rules and policies of the FAA and aircraft operators. The Commission added that it did not intend in initiating this proceeding to affect ongoing efforts by the FAA to examine its own rules and policies on this subject. Rather, the Commission is coordinating with the FAA to ensure that FCC rules and policies complement the FAA’s efforts and address issues unique to wireless service providers, which are subject to the Commission’s regulatory jurisdiction.

Specifically, the Commission proposed to permit the airborne operation of “off the shelf” wireless handsets and other devices so long as the device operates at its lowest power setting under control of a “pico cell” located on the aircraft, and the operation does not allow unwanted radio frequency emissions to interfere with terrestrial cellular systems. The Commission asked for public comment on whether the proposal should apply only to devices operating in 800 MHz cellular spectrum, or whether devices operating on other spectrum bands, such as the PCS band or Advanced Wireless Services bands, should be included.

The Commission also asked for public comment on ways that the 800 MHz cellular spectrum could be used to provide a communications “pipe” between airborne aircraft and the ground. This could include whether the current FCC restriction could be replaced by an industry-developed standard that would guard against harmful interference to both airborne and

terrestrial systems through appropriate technical and operational limitations. The Commission also sought comment on whether to allow cellular carriers to provide service on a secondary basis to airborne devices subject to technical limitations aimed at preventing harmful interference. The Commission also raised these questions with respect to other Commercial Mobile Radio Services spectrum bands.

The Commission stated that its proposal is an important step in a process aimed at increasing the communications options for wireless users—in this case, airborne connectivity—while ensuring no increased risk of harmful interference to terrestrial cellular systems. The Commission explained that its ultimate objective is to allow consumers to use their own wireless devices during flight.

In a related action today, the Commission also restructured the rules for the air-ground radio telephone service, currently provided by Verizon Airfone, and proposed auction rules for that spectrum.

Action by the Commission on December 15, 2004, by *Notice of Proposed Rulemaking* (FCC 04-288). Chairman Powell, Commissioners Abernathy, Copps, Martin, Adelstein with Chairman Powell and Commissioner Copps issuing separate statements.

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