

December 28, 2012

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The Honorable Julius Genachowski
Chairman
Federal Communication Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Genachowski:

I request that when the Commission considers the joint testing reports filed by Progeny and the Wireless Internet Service Providers Association (WISPA), Itron, and the Landis+Gyr Company in WT Docket 11-49 to determine whether Progeny's Multilateration Location and Monitoring Service (M-LMS) service causes unacceptable interference to unlicensed (Part 15) devices operating in the 902-928 Megahertz (MHz) spectrum band, it defines unacceptable interference from the perspective of what would be an unacceptable consumer experience for the tens of millions of Part 15 device users. I am concerned that conditions to begin commercial operation have not been met by the applicant in the field tests with Part 15 users.

According to the Commission, the grant of the M-LMS license is conditioned on the licensee's ability to demonstrate, through actual field tests in the proposed area of operation, that their systems do not cause unacceptable levels of interference to Part 15 devices that utilize the 902-928 MHz spectrum band. The FCC has shown its intent to respect the installed base of millions of Part 15 devices; however it has not clearly defined unacceptable interference.

Millions of Americans depend on devices supported by unlicensed spectrum in the 902-928 MHz band. These devices include signaling systems used by railroads, pipelines, and smart grid automatic meter reading devices, as well as Internet connections, medical devices, remote controls, baby monitors, personal emergency service devices that connect to 911, and home alarm systems. The quality of communications and signals over these devices is crucial to businesses as well as to consumers.

Innovation is an important part of our country's competitive agenda and the 902-928 MHz spectrum block is used by many new technologies utilizing unlicensed spectrum due to the relatively low barriers to entry. We must continue to support innovation to build our economy and compete in an increasingly high-tech global market and urge you to continue to keep this in mind as you consider your decision which could impact the untold number of successful companies that have integrated unlicensed devices into their operations if they are subject to unacceptable levels of interference.

I hope you will continue to work with all of the stakeholders involved so that the band can continued to be shared effectively.

Sincerely,

A handwritten signature in blue ink that reads "Amy Klobuchar". The signature is fluid and cursive, with the first name "Amy" and last name "Klobuchar" clearly legible.

Amy Klobuchar
United States Senator

CC: Commissioner Robert McDonnell
Commissioner Mignon Clyburn
Commissioner Ajit Pai
Commissioner Jessica Rosenworcel