



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

December 2, 2013

OFFICE OF
THE CHAIRMAN

The Honorable Mark Begich
United States Senate
111 Russell Senate Office Building
Washington, DC 20510

Dear Senator Begich,

Thank for you contacting me regarding the Commission's proposal to revise rules governing mobile wireless services on-board aircraft. I welcome your comments and interest in this issue, and appreciate the opportunity to clarify the limited, technology-focused proposal on which the FCC will be soliciting comments. After hearing from all interested parties, if the FCC adopts new rules, it will be the airlines' decision, in consultation with their customers, whether to permit the use of data, text and/or voice services while airborne.

As you know, the FCC is charged with overseeing communications technology issues. Careful review by FCC engineers appears to support the conclusion that there is no technical reason to prohibit mobile devices from interfacing with on-board wireless access systems. Such technology is today authorized on flights in a significant number of countries. The principal reason the Commission adopted the rule in the first place was out of a concern that using a cell phone on-board an aircraft could interfere with a terrestrial network below. Now on-board systems, in use for many years by airlines around the world, manage the mobile device's signal so that such usage does not cause interference to cell phone networks on the ground. As the expert agency on communications, it is the FCC's role to constantly examine our rules in light of such new technology and eliminate unnecessary regulations where appropriate.

Initial public response has largely focused on the possibility that the draft proposal would open the door to allowing passengers to make voice calls in-flight. Many are concerned that adoption of this proposal will result in a less-enjoyable travel experience caused by other passengers engaging in unreasonably loud phone conversations during flight. These are reasonable concerns. As a frequent airline passenger, I would prefer that voice calls not be made on planes. However, the responsibility of the Commission is to make technical judgments, and on that matter the evidence appears clear. Nothing in this proposal limits the ability of airlines to ban voice conversations. In fact, the technology would allow an airline to disable the ability of devices to make voice calls should the airline so determine.

Your letter also raises important concerns over the potential impact on in-flight safety, from distracted passengers missing safety announcements or increasing incidents of "air rage." As you know, the Federal Aviation Administration (FAA) is the expert agency when it comes to airline safety. Earlier this year the FAA issued a Congressionally-mandated report titled *Study on the Use of Cell Phones on Passenger Aircraft* indicating that foreign civil aviation authorities

in numerous countries where such technology has already been deployed reported “no documented occurrences of cell phones affecting flight safety on aircraft with on-board cellular telephone base stations.” The study found that “[n]one of the civil aviation authorities reported any cases of air rage or flight attendant interference related to passengers using cell phones on aircraft equipped with on-board cellular telephone base stations.”¹

The beauty of the new on-board base stations is that the airlines can control their operation. For instance, they can program the equipment to not handle voice traffic while allowing text and email to passengers. Under the FCC’s proposal, the *airlines* would have the ultimate say as to whether and how to provide service using cellular airborne access systems. This technology provides significant flexibility to airlines and the crews who operate them. In the case of the specific concern you raised about safety announcements, it would be possible for an airline to adopt a policy to turn off the system when any safety announcements are being made. Beyond that specific example, an airline could choose to not offer voice service at all and to prevent all call attempts, or to only provide data communications so that passengers can surf the Web, send and receive text messages, and email or stay connected to friends and family via social media applications. An airline that decides to offer these services to its customers would have total discretion to determine which options would be available, and when and whether to turn the on-board wireless access system on or off.

If adopted by the Commission, this proposal would begin a process to examine whether and how we should revise our rules to improve consumers’ access to mobile wireless services onboard aircraft. There will be months of public comment and debate on the specific issues raised in the proposal. We hope that all interested stakeholders, including the airlines, flight attendants, pilots, the flying public, and others will review our draft proposal closely and engage in our upcoming rulemaking process.

Please let me know if there is any additional information about this matter I can provide.

Sincerely,


Tom Wheeler

¹ Section 410 in the FAA Modernization and Reform Act of 2012 (Public Law 112-95) directed the Administrator of the FAA to conduct a study on the impact of the use of cell phones for voice communications in an aircraft during a flight in scheduled passenger air transportation. Section 410 directed the study to include a review of foreign government and air carrier policies on the use of cell phones during flight; a review of the extent to which passengers use cell phones for voice communications during flight; and a summary of any impacts of cell phone use during flight on safety, the quality of the flight experience of passengers, and flight attendants.