

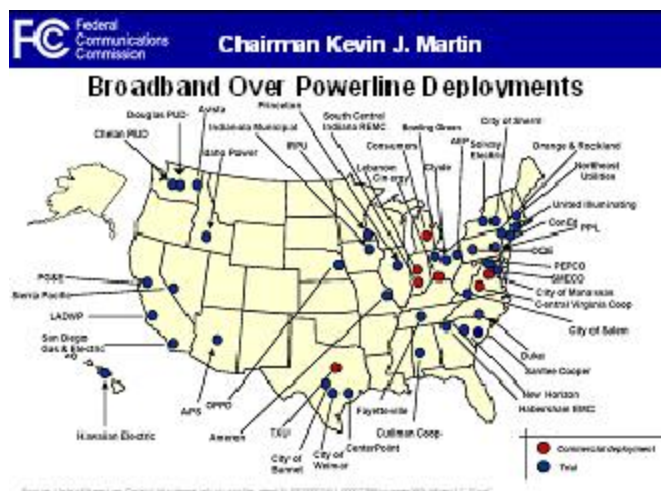
League Faults FCC Chairman Re Biased, Inaccurate BPL Presentation Information



NEWINGTON, CT, Dec 6, 2006 -- The ARRL has called on FCC Chairman Kevin J. Martin and his fellow commissioners to employ "a more even-handed approach" when promoting new broadband technologies. In a December 6 fax to Martin and the other four FCC members, ARRL CEO David Sumner, K1ZZ, faulted the chairman for using broadband over power line (BPL) deployment data from the BPL industry when speaking at Georgetown University November 30. Martin's [presentation](#) included a slide of a map from the United Power Line Council (UPLC), a BPL proponent, purporting to show current BPL deployments in the US.

"This slide is taken from a biased industry source and fails to note that a large percentage of the deployments shown on the map have been shut down and no longer exist," Sumner told Martin. His letter included a list of five systems shut down as much as two years earlier. In several instances, utilities announced they had abandoned their BPL pilot projects because they proved to be uneconomical or were unable to compete with existing broadband technologies.

Sumner said the ARRL "respectfully requests" the FCC cease using the UPLC as a source for illustrating BPL deployments. He further faulted the chairman for failing to include slides on the other two new technologies in the early stages of deployment he'd mentioned -- wireless broadband and fiber-to-the-home.



The BPL map slide from FCC Chairman Kevin

Martin's November 30 presentation. [FCC]

That omission occurred despite the fact that the FCC Report, *High-Speed Services for Internet Access: Status as of December 31,*

2005, showed 448,196 fiber lines and 256,538 fixed wireless "lines" compared to just 5859 for "Power Line and Other," Sumner pointed out. "Your prepared remarks do not even mention satellite broadband, yet the same report shows 426,928 satellite 'lines,'" he added.

Five BPL Trials: FCC Chairman Kevin J. Martin's presentation map included these, but none is operating.

- PPL announced in October 2005, more than a year ago, that it was terminating its trial deployment in Pennsylvania's Lehigh Valley, citing the high cost of a full-scale BPL rollout and competition from cable and DSL service.
- United Illuminating announced two trial deployments in Shelton, Connecticut, but only ever installed one and shut that one down in December 2005 after a few months of operation.
- SMECO announced in March 2006 that it had ended its Southern Maryland BPL trial in December 2005, noting "BPL signal speeds and bandwidth are not competitive with other technologies currently available."
- The Idaho Power deployment in Boise was by IDACOMM, which announced in January 2006 that it was abandoning the BPL business (and has done so). IDACOMM also had participated in an early BPL trial in Houston, Texas.
- RPU had an unsuccessful Main.net BPL trial deployment in Rochester, Minnesota, in 2004. The system has been shut down.

Sumner also said BPL, as a technology, doesn't warrant the kind of partiality it's been getting from the FCC. "As you know, the ARRL's concern is with the still-unresolved radio interference issues that uniquely plague BPL and not with BPL as such," he noted in conclusion. "However, it is evident that the technology does not deserve the favored treatment the FCC continues to bestow upon it, especially when its inherent shortcoming, that it is a radio spectrum polluter, escapes mention."

Sumner said the UPLC BPL deployment map Martin used when speaking at the Georgetown University McDonough School of Business Center for Business and Public Policy November 30 also was on display at the FCC open meeting last August at which the Commission adopted its BPL *Memorandum Opinion and Order* ([MO&O](#)). The *MO&O* dispensed with various reconsideration petitions, including [one from ARRL](#), asking the Commission to reconsider its October 2004 BPL *Report and Order* ([R&O](#)).

Martin's excessive emphasis on BPL as a "new" technology when other new technologies, "are vastly more successful and promising according to the FCC's own reports" belies the chairman's impartiality, Sumner commented after faxing the letter.

"The ARRL remains highly dissatisfied with the Commission's handling of the BPL radio interference issue," he continued. "There is nothing evenhanded about the Commission's continuing favoritism of BPL over other broadband technologies that do not share its unique shortcoming of causing radio spectrum pollution."

In October, the ARRL notified the US District Court of Appeals -- DC Circuit that it would seek review of the August *MO&O* as well as the October 2004 *R&O* on the ground that they exceed the Commission's jurisdiction and authority, are contrary to the Communications Act of 1934, and are arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with law.

The League will request that the court "hold unlawful, vacate, enjoin and set aside the orders." A court filing detailing the League's specific objections to the two FCC orders is pending.

Sumner has said the League decided to go forward with its appeal only after considering the effect on licensed spectrum users of letting the BPL rules stand. He addressed a number of ARRL's concerns with the FCC's BPL rules in his "[It Seems to Us . . .](#)" editorial in October *QST*.