



NEWS

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See MCI v. FCC, 515 F.2d 385 (D.C. Circ 1974).

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FCC INITIATES PUBLIC COMMENT PERIOD TO REVIEW RULES FOR WIRELESS SERVICES ONBOARD AIRCRAFT

*Begins process to fix and modernize outdated regulations, keep pace with new technology, and give airlines the choice whether to allow passengers to use their mobile devices in-flight to access mobile wireless services for email, texts, Internet use and voice services;
Expands existing default ban on use of cellphones in-flight.*

Washington, D.C. – The Federal Communications Commission today initiated a proceeding to consider a proposal that would permit airlines to install equipment on aircraft that could safely expand the availability of in-flight mobile wireless services to passengers. The Commission will now seek to solicit public input on the proposal, and will carefully review input from consumers and stakeholders before taking any final action.

The proposed rules, if adopted after a period of public review and comment, would expand the existing default ban on the use of cellphones in-flight to include frequency bands not previously subject to the prohibition. However, if an airline chooses to equip its aircraft with specialized onboard equipment that would prevent harmful interference with wireless networks on the ground, the airline would have the ability to enable in-flight wireless broadband access to passengers. The new systems could allow airlines to offer an array of new choices to the flying public, including Internet, e-mail, text and potentially voice services. The new technology also would provide airlines with a high level of control over the in-cabin communications environment.

The proposal would not require airlines to install onboard access systems or to provide mobile wireless services to passengers on their fleets. Under the proposal, the use of mobile wireless devices would still be prohibited as a default, unless an airline installs an onboard system to manage the service.

Since 1991, the FCC has prohibited in-flight mobile cellular use due to concerns about harmful interference to wireless networks on the ground. In the past two decades, technology and engineering has evolved, and specialized onboard systems that can effectively prevent interference with wireless networks on the ground have been designed and successfully deployed internationally. In addition, while consumer use of mobile phones for voice has declined in recent years, use of tablets and smartphones for wireless data has exploded. Global mobile data traffic is predicted to increase thirteen fold by 2017. Consumers are ever more dependent on reliable, high speed connectivity at all places, at all times – including when flying.

Foreign airlines have used onboard mobile access technology during the last five years in jurisdictions across Europe and Asia. The Commission believes that these systems can be successfully deployed in the United States, and that the time has come to examine reforms to the agency's outdated rules with respect to mobile wireless service onboard aircraft.

Under the proposal, individual airlines would be free, consistent with the Commission's rules and relevant Federal Aviation Administration (FAA) and Department of Transportation (DoT) rules, to make their own decisions about whether to offer mobile wireless services at all, and, if so, which services to offer. If an airline chooses to install new onboard equipment, consumers would be able to use their mobile devices' full wireless data capabilities in addition to the current choice of access to Wi-Fi on some flights. Airlines would be in total control of what types of mobile services to permit onboard, including whether to permit Web surfing, emailing, and texting, but not voice calls.

Specifically, the Commission's Notice of Proposed Rulemaking seeks comment on the following proposals to:

- Remove existing, narrow restrictions on airborne use of mobile devices in the 800 MHz cellular and Specialized Mobile Radio (SMR) bands, replacing them with a more comprehensive framework encompassing access to mobile communications services in all mobile wireless bands;
- Harmonize regulations governing the operation of mobile devices on airborne aircraft across all commercial mobile spectrum bands;
- Add the authority to provide mobile communications services on airborne aircraft across all commercial mobile spectrum bands to existing Part 87 aircraft station licenses;
- Allow mobile communications services on airborne aircraft only if managed by an Airborne Access System certified by the FAA, which would control the emissions of onboard portable electronic devices (PEDs) by requiring them to remain at or near their lowest transmitting power level; and
- Limit authorization for mobile communications services to aircraft travelling at altitudes of more than 3,048 meters (approximately 10,000 feet) above the ground.

The Notice also seeks comment on alternative authorization frameworks, the potential impact of the proposals on public safety and national security, and issues related to the use of voice services onboard aircraft.

The Commission looks forward to reviewing input from American consumers and stakeholders on this issue as the next step forward in this process.

Frequently-asked questions about this item can be found at <http://www.fcc.gov/document/qa-proposals-expand-consumer-access-inflight-mobile-services>.

Official FCC blog posts about this issue are available at <http://www.fcc.gov/blog>.

Action by the Commission December 12, 2013, by Notice of Proposed Rulemaking (FCC 13-157). Chairman Wheeler and Commissioner Clyburn, with Commissioner Rosenworcel Concurring and Commissioners Pai and O'Rielly dissenting. Chairman Wheeler, Commissioners Clyburn, Rosenworcel, Pai and O'Rielly issuing statements.

WT Docket No. 13-301

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