



FEDERAL COMMUNICATIONS COMMISSION

April 23, 2013

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Anna G. Eshoo
Ranking Member
Subcommittee on Communications and Technology
Committee on Energy and Commerce
U.S. House of Representatives
241 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

Thank you for your letter regarding Progeny LMS, LLC. I appreciate your interest in this matter and am pleased to provide the enclosed letter on this issue from the Chief of the FCC's Office of Engineering and Technology.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Julius Genachowski", written over a horizontal line.

Julius Genachowski



Federal Communications Commission
Washington, D.C. 20554

April 23, 2013

The Honorable Anna G. Eshoo
U. S. House of Representatives
241 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

Thank you for your letter dated February 5, 2013 regarding the testing reports filed by Progeny, the Wireless Internet Service Providers Association (WISPA), Itron and the Landis+Gyr Company concerning whether Progeny's Multilateration Location and Monitoring Service (M-LMS) equipment causes unacceptable interference to Part 15 devices operating in the 902-928 MHz band. You request that the Commission define "unacceptable interference" from the perspective of what would be an unacceptable consumer experience for tens of millions of Part 15 users. You believe that Progeny has not yet met the Commission's conditions to begin commercial operations.

As you have recognized, Progeny is a licensee in the M-LMS band that is also available for use by unlicensed devices under Part 15 of the Commission's rules. As a general matter, users of Part 15 devices are required to accept interference caused by licensed operations. However, the M-LMS rules require licensees to demonstrate through actual field tests that their operation will not cause unacceptable interference to Part 15 devices. Progeny performed field testing as required by the rules and submitted the results to the Commission. The Commission has sought comment on those testing results.

The staff is currently reviewing the test results and extensive record that has been compiled to date. We will place your letter in the record in WT Docket No. 11-49 so that it will be considered as part of the deliberative process.

I appreciate your interest in this very important matter.

Sincerely,

A handwritten signature in cursive script that reads "Julius P. Knapp".

Julius P. Knapp
Chief
Office of Engineering and Technology