



Office of the President
3226 Newcastle Drive
Dallas, TX 75220-1640

November 1, 2004

Mr. Donald L. Evans
Secretary of Commerce
Washington, DC 20230

Dear Secretary Evans:

I refer to your letter to me dated June 9, replying to my letter of April 26 to the President, on the subject of broadband over power line (BPL) deployment. You stated: "While the Administration supports expeditious deployment of BPL services, we are equally committed to ensuring that we are responsible and sensitive to valuable incumbent [radiocommunication] systems."

On October 28 the FCC released its Report and Order on BPL systems. I must tell you that we are very disappointed to find that there is very little in the Report and Order to prevent radio spectrum pollution by BPL systems. Despite excellent work conducted by the technical staff of your National Telecommunications and Information Administration (NTIA) to document the extensive harmful interference that will occur if BPL systems are deployed at the radiated emission limits presently permitted by the FCC Rules, it appears that the NTIA concurred in the FCC's decision not to tighten those limits.

Radiocommunication services are entitled by treaty and by law to protection from harmful interference caused by BPL systems. Despite this, the FCC has shifted the burden for initiating interference mitigation from the BPL system operator to the radio licensee. The NTIA's submission to the FCC dated September 13, 2004, shows that at the FCC limits, the probability of harmful interference is essentially 100% within 200 to 400 meters of a power line depending on the operating frequency. Amateur Radio stations are typically located in residential areas, nearly always well within such distances. The FCC's Report and Order provides no assurance that when interference occurs – as it unquestionably will – it will be promptly eliminated.

On behalf of the nation's 680,000 licensed radio amateurs, I must tell you that we are not at all satisfied with this outcome and will continue to work to improve it. The narrow portion of the radio spectrum in question is a unique and priceless natural resource: it is

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the only part of the radio spectrum that supports long-distance communication without the need for any infrastructure whatsoever. We deeply regret that this Administration is willing to squander such a unique natural resource in order to provide a short-range broadband connection that can easily be provided by several other, non-polluting means.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Haynie". The signature is fluid and cursive, with a large initial "J" and a long, sweeping tail.

Jim Haynie, W5JBP
President

.. President George W. Bush