

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Encouraging the Provision of New Technologies and Services to the Public

FCC 18-18; GN Docket No. 18-22; Implementing section 7

Dear Ms. Dortch:

In GN Docket No. 18-22, a Notice of Proposed Rulemaking (NPRM), the Commission proposes guidelines and procedures to implement section 7 of the Communications Act of 1934, as amended.<sup>1</sup> By this action, the Commission aims to ensure that new technologies and services that serve the public interest can develop and be made available to the public on a timely basis.

The IEEE 802 LAN/MAN Standards Committee<sup>2</sup>, as a leading consensus-based industry standards body, produces standards for wireless networking devices, including wireless local area networks (“WLANs”), wireless specialty networks (“WSNs”), wireless metropolitan area networks (“Wireless MANs”), and wireless regional area networks (“WRANS”). We appreciate the opportunity to provide these comments to the FCC.

**Definition of New**

The meaning of “New” technology and services needs to be further defined, clarified and/or additional guidelines provided. Asking if the new technology or service is a significant breakthrough or truly innovative and not incremental growth, is helpful. However, for an example would shifting an existing technology to a new area of spectrum that is unique or a significant breakthrough be considered “New” technology? Maybe using the KDB, Knowledge Data Base,

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<sup>1</sup> 47 U.S.C. § 157 (Communications Act § 7).

<sup>2</sup> This document represents the views of IEEE 802. It does not necessarily represent the views of the IEEE as a whole or the IEEE Standards Association as a whole.

would help to determine if the request could be considered “New” by providing other examples, interpretations, criteria, etc. to support the definition in the rule.

### **Integrity of the new rules**

We agree with the goal of avoiding unnecessary delay in consideration of new technologies. We also think that in some cases an assessment of the impact of a new technology on existing technologies, including licensed incumbents, may be difficult to complete within one year. We urge the Commission to reiterate that the quality of such assessments will not be compromised, and the integrity of the new rules meet the same high standards that new rules being released today have.

### **90-day determination**

With respect to the 90-day determination, we agree with this is a good maximum length of time for the assessment of the OET-led team to notify the petitioner or applicant if the technology or service qualifies as a new technology or service for consideration under the section 7. Considering this is an expedited procedure and given communications methods today, sending an email followed up with the notification in writing maybe warranted.

### **Summary**

Along with the few inputs above, IEEE 802 supports the Commission’s proposal to adopt rules and guidance to implement section 7 of the Communications Act of 1934, as amended<sup>3</sup>. IEEE 802 thanks the Commission the opportunity to respond to this Notice of Proposed Rule Making.

Regards,

By: /s/ Paul Nikolich

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<sup>3</sup> 47 U.S.C. § 157 (Communications Act § 7).