

## WT Docket 06-142 • Stolen Vehicle Recovery System (SVRS) Rules

### Reply Comments of Hammett & Edison, Inc., Consulting Engineers

1. This reply comment filing is in response to the Commission's January 24, 2011, Public Notice DA 11-123, *Public Safety and Homeland Security Bureau Seeks Comment on Partial Request for Waiver Filed by the Lojack Corporation*. The reply comment deadline is February 18, 2011, so this filing is timely.

#### I. Lojack Has Failed To Demonstrate that Its Waiver Request Would Be In the Public Interest Because of the Interference Threat to TV Channel 7

2. In its February 8, 2011, comments, the Lojack Corporation (Lojack) argues that it would be in the public interest for the Commission to grant its requested rule waivers to (1) allow system activation via portable or mobile devices; (2) allow any Public Safety Pool eligible entity (rather than just Police Departments) to activate the 173.075 MHz Stolen Vehicle Recovery System (SVRS); and increase the SVRS duty cycle to 1,000 mSec every eight seconds. Because of the increased interference potential to reception of DTV Channel 7 (174–180 MHz) signals, Hammett & Edison, Inc. (“H&E”) believes such rule waivers would not be in the public interest.

#### II. Lojack Should Not Be Allowed Changes by Rule Waiver That It Was Unsuccessful In Obtaining in the 2008 WT Docket R&O

3. In the WT Docket 06-142 rulemaking, the Commission was urged to first require laboratory tests, to determine whether SVRS-into-TV Channel 7 interference criteria developed for analog operation was sufficient to also protect DTV Channel 7 operations. While the Commission concluded that “the error correction capabilities of DTV receivers should be more than adequate to compensate for an adjacent channel narrowband signal,”\* the Commission ignored the fact that the protected contour of a DTV Channel 7 would at least 17 dB weaker than the analog protected contour, that is, the F(50,90) 36 dBu contour instead of the F(50,50) 56 dBu contour.†

4. As documented in the H&E initial comments, the magnitude of the increase in SVRS eligible users cannot be derived from the Commission's current Universal Licensing System (ULS). Given this uncertainty, it would not be in the public interest to grant Lojack the requested rule waivers until laboratory tests on a representative group of consumer-grade DTV tuners has been conducted, to see if the current SVRS-into-analog Channel 7 protection requirements are adequate to also protect against SVRS-into-digital Channel 7 service.

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\* R&O, at paragraph 14.

† This is less than the full 20 dB field strength differential to account for the greater time variability required for DTV reception.



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### III. Grant of SVRS Rule Waivers Would Also Be Inappropriate Given the In-Progress ET Docket 10-235 Rulemaking (VHF Improvements)

5. A further reason why grant of any SVRS rule waivers at this time would be premature and not in the public interest is pending ET Docket 10-235 (VHF Improvements). Since the SVRS R&O was issued, on August 13, 2008, the DTV transition period has of course ended (on June 12, 2009). The Commission is well aware of the multitude of viewer complaints that resulted when many analog Channel 7 stations transitioned from their interim UHF DTV channel back to their VHF high band DTV channel.

6. Although the Notice of Proposed Rulemaking (NPRM) to the ET Docket 10-235 proceeding was released by the Commission on November 30, 2010, the NPRM was not published in the Federal Register until February 1, 2011; thus, comments are not due until March 17, 2011, and reply comments are not due until April 18, 2011.

7. At paragraph 15 of the ET Docket 10-235 NPRM, the Commission states:

We also are aware that broadcasters have encountered technical issues in using VHF channels to provide satisfactory [DTV] service to viewers.

At paragraph 42 the NPRM states:

We recognize that television broadcasters have had some difficulty in ensuring consistent reception of [DTV] signals.

At paragraph 43 the NPRM states:

Complaints from individuals typically have indicated that a consumer who was previously able to receive a station's analog VHF signal was not able to receive that station's digital VHF signal.

At paragraph 46 the NPRM states:

We are therefore seeking solutions to the VHF digital TV reception difficulties. In this regard, we are considering changes to the DTV operating rules to mitigate or overcome these challenges.

8. Thus, H&E submits that it would be premature to be granting Lojack any SVRS rule waivers at this time.

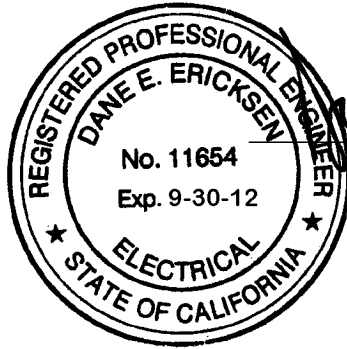
### IV. Summary

9. Grant of the requested SVRS rule waivers would *not* be in the public interest at this time. Until such time as laboratory tests on the immunity of consumer-grade DTV tuners to 173.075 MHz SVRS signals have been made, to determine if rules derived to protect 20 dB stronger analog

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Channel 7 signals also protect digital Channel 7 signals, and until the completion of the ET Docket 10-235 proceeding, the rule waivers requested by Lojack would appear to be premature.

February 18, 2011



A handwritten signature in black ink, appearing to read "Dane E. Ericksen", written over a horizontal line.

Dane E. Ericksen, P.E.