



UNITED STATES DEPARTMENT OF COMMERCE
National Telecommunications and
Information Administration
Washington, D.C. 20230

June 21, 2022

VIA ECFS

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

RE: Amendment of Section 15.255 of the Commission's Rules (ET Docket No. 21-264)

Dear Ms. Dortch:

The National Telecommunications and Information Administration (NTIA), with the support of the National Oceanic and Atmospheric Administration (NOAA) and the National Aeronautics and Space Administration (NASA), hereby provides notice that we believe sufficient analysis has been done such that NTIA would have no objection to the Commission proceeding with the adoption of proposed rules in the above-referenced proceeding.

In response to the Commission's Notice of Proposed Rule Making on updated rules for short-range radars in the 57-64 GHz (60 GHz) band,¹ NTIA asked the Commission to further study the effect of field disturbance sensor (FDS) technical characteristics and deployment densities on passive Earth-Exploration Satellite Service (EESS) sensors before adopting rules for the 57-59.3 GHz portion of the band.² NTIA explained that NOAA and NASA operate passive EESS sensors in the 57-59.3 GHz frequency range for purposes of atmospheric temperature profiling due to the O₂ absorption properties at those frequencies.³ Measurements made in this band are vital inputs to NOAA weather and environmental models – and, thus, vital to the success of weather predictions and severe storm warnings.

NTIA, NOAA, and NASA very much appreciate the Commission's willingness to study these issues further. A technical interchange group (TIG) was established with representatives from the Commission, NASA, NOAA, and NTIA. The TIG members independently collaborated on the technical analysis, reaching consensus that unlicensed devices operating under the rules proposed in the NPRM would not result in harmful interference to passive EESS sensors operating in the 57-59.3 GHz band. The high level of atmospheric attenuation that exists between transmitters on the surface of the Earth and the passive sensors in this frequency band

¹ *Amendment of Section 15.255 of the Commission's Rules*, ET Docket No. 21-264, 36 FCC Rcd 11901, Notice of Proposed Rule Making, (2021) (NPRM).

² See NTIA Comments, ET Docket No. 21-264, (Sept. 21, 2021).

³ *Id.*

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was found to be a dominant factor towards the favorable results.⁴ NTIA accordingly has no objection to the Commission proceeding with the adoption of proposed rules in this proceeding and merely requests that, if alternate deployment scenarios are considered in the future whereby the atmospheric absorption loss may be different (particularly, aeronautical deployments), further analysis be conducted.

NTIA believes this stands as another example of successful inter-agency spectrum coordination. Consistent with last month's joint announcement on improved spectrum management coordination,⁵ we look forward to our further collaborative efforts in protecting spectrum use and enhancing spectrum access. If you have any questions regarding this matter, please contact me or Edward Drocella, Chief, Spectrum Engineering and Analysis Division, Office of Spectrum Management, at edrocella@ntia.gov or 202-536-9628.

Sincerely,

Charles Cooper
Associate Administrator

cc: Mr. Ronald Repasi (OET)

⁴ Recommendation ITU-R P.676-12, *Attenuation by atmospheric gasses and related effects* (August 2019), available at https://www.itu.int/dms_pubrec/itu-r/rec/p/R-REC-P.676-12-201908-I!!PDF-E.pdf#:~:text=ii%20Rec.%20ITU-R%20P.676-12%20Foreword%20The%20role%20of,on%20the%20basis%20of%20which%20Recommendations%20are%20adopted.

⁵ "FCC, NTIA Establish Spectrum Coordination Initiative," Joint FCC-NTIA Press Release (Feb. 15, 2022), available at <https://www.ntia.doc.gov/press-release/2022/fcc-ntia-establish-spectrum-coordination-initiative>.