

May 2009

## FCC Enforcement Crackdown—CPNI

The U.S. Federal Communications Commission (FCC) found several hundred carriers apparently liable for failure to submit their annual customer proprietary network information (CPNI) compliance certificate. These carriers were fined \$20,000 for the apparent violation.

Some of the carriers submitted their filings only after receiving a letter of inquiry from the

FCC. Among the companies fined were small businesses who had no legal counsel.

It is possible that some carriers may be permitted to request reductions in fines for their inability to pay as can be shown through tax returns and financial statements.

## 400MHz Spectrum for Medical Devices

The FCC issued a Notice of Proposed Rulemaking (NPRM) to allocate 400MHz spectrum and adopt rules for the use of implanted medical devices to expand functional stimulation to restore sensation to paralyzed limbs and organs.

The implanted micro-simulators would function as a wireless broadband Medical Micro-power Network (MMN) within a patient.

The idea is to eliminate wires currently used to interconnect multiple implanted simulators and their power sources. Thus MMNs would reduce the risk of infection as well as increase patient mobility.

The NPRM also sought comment on the technical rules that would impact MMN operations, such as transmitter power, emission bandwidth, duty cycle, contention protocols, and other specifications.

## What is TDMA?

Time Division Multiple Access (TDMA) is a method for networks to run on a shared medium. In the case of satellite communications, it allows many earth stations, that are geographically dispersed, to share the same bandwidth. Individual time

slots are assigned to earth stations in sequential order.

Each earth station has access to the full bandwidth during its time-assignment segment. *(Continued on Page 2)*

**Did You Know** The Law Office of Raul Magallanes represents clients in FCC Enforcement actions?

**On Your Radar Screen** The USF contribution factor has been raised from 9.5% to 11.3% for the second quarter of 2009.

*"Our doubts are traitors, and make us lose the good we oft might win, by fearing to attempt."*  
 Shakespeare

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### Facts of Interest:

- The FCC is directed by five Commissioners appointed by the President and confirmed by the Senate for 5-year terms.
- Only three of the five FCC Commissioners may be members of the same political party.

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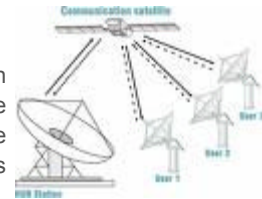
## What is TDMA (continued)

Thus, earth stations transmit one after the other in rapid succession, each using its own time slot. One of the advantages of TDMA is efficient bandwidth utilization. This is primarily because one earth station may burst to higher bandwidths when other earth stations are underutilizing their assigned bandwidths..

One of the primary challenges of TDMA is the requirement to maintain all the remote earth stations, as well as the master station, well synchronized to minimize timing

problems.

The need to reduce bandwidth costs, as well as to better utilize existing bandwidth, has made TDMA a popular choice in today's satellite communications world.



## U.S. Congress Allocates \$7.2 Billion for Broadband

The American Recovery Reinvestment Act (ARRA) authorized the allocation of \$7.2 billion for broadband projects. The funds are primarily geared for projects that target unserved or underserved regions.

Priority will be given to projects that:

1. Demonstrate the impact of bringing broadband to a community.

2. Improve job creation, health care, and education in that community.

3. Create competition in the area.

4. Leverage local investment and create partnerships.



## Spectrum Enforcement

The Chief of the Spectrum Enforcement Division of the FCC Enforcement Bureau found *Discovery World Television* as well as *SES Americom* apparently liable for operating their station without authority and failing to timely review their station licenses.

FCC earth station licenses are valid for 15 years. The licenses may be renewed up to 90 days prior to the expiration date. Operating with an expired license amounts to operating without a license and unlicensed activities are subject to FCC enforcement.

If an expired license is discovered, it is best to quickly take corrective measures and self-disclose.

The FCC can downward adjust a fine for voluntarily disclosing a potential violation and taking corrective measures prior to FCC enforcement.



## FCC to Auction 2.5GHz Band

On October 27, 2009, the FCC is planning to auction 78 licenses totaling 76.5MHz of spectrum in the 2.5GHz band Broadband Radio Service (BRS).

The specific frequencies are 2496-2502, 2602-2614, 2614-2615, 2616-2618, and 2618-2673.5 MHz. The auction will include spectrum for the Gulf of Mexico as part of a new allocation made by the FCC last year.

*"If you would win a man to your cause, first convince him that you are his sincere friend. Therein is a drop of honey that catches his heart, which is the high road to his reason, and which, when once gained, you will find but little trouble in convincing his judgments of the justice of your cause, if indeed that cause be a just one." Abraham Lincoln*