



March 15, 2013

Hughes Nappert
Manager, Regulatory Standards
Engineering, Planning and Standards Branch
Spectrum, Information Technologies and Telecommunications Sector
Industry Canada
365 Laurier Avenue West, Ottawa ON K1A 0C8

RE: Supplemental Comments of the Telecommunications Industry Association on Industry Canada's Draft *Radio Frequency (RF) Exposure Compliance of Radiocommunication Apparatus (All Frequency Bands)* (RSP-102 Issue 5)

Dear Mr. Nappert:

The Telecommunications Industry Association's ("TIA") Technical Regulatory Policy Committee ("TRPC")¹ hereby submits supplemental comments to Industry Canada on its draft revisions to RSS-102² to Industry Canada ("IC").

Our initial comments to IC were focused on the specific absorption rate ("SAR") provisions in Section 3.1.1 of the RSS-102 Draft. In these comments, we alerted IC to the information and communications technology ("ICT") manufacturer and supplier community's consensus that, based on the IEEE's standards³ and the science underpinning them, new proposed requirements for preferred spacing and body-worn testing in the RSS-102 Draft (being either the manufacturer uses the spacing deemed by Industry Canada to be "preferred" [i.e., 5 mm] or the manufacturer

¹ TIA is a Washington, DC-based trade association and standard developer that represents the global information and communications technology ("ICT") industry through standards development, advocacy, trade shows, business opportunities, market intelligence and world-wide environmental regulatory analysis. For over eighty years, TIA has enhanced the business environments for broadband, mobile wireless, information technology, networks, cable, satellite, and unified communications. TIA's hundreds of member companies' products and services empower communications in every industry and market, including healthcare, education, security, public safety, transportation, government, the military, the environment, and entertainment. TIA is an accredited standard development organization for the ICT sector by the American National Standards Institute ("ANSI").

TIA's Technical Regulatory Policy Committee serves as an ICT manufacturer body that works with the FCC towards the goal of streamlining and clarifying the mechanisms of the FCC equipment certification processes and procedures. The TRPC's charter includes a directive to address issues relating to procedures and testing for product grant authorizations.

² See Industry Canada, Radio Frequency (RF) Exposure Compliance of Radiocommunication Apparatus (All Frequency Bands), RSP-102 Draft Issue 5 (Dec. 2012) ("RSS-102 Draft").

³ See IEEE C95.1-1991 (Revision of ANSI C95.1-1982), IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz (approved September 26, 1991) ("IEEE C95.1-1991"); see also IEEE C95.1-2005 (Revision of ANSI C95.1-1991), IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz (approved Apr. 19, 2006) ("IEEE C95.1-2005").

must provide a “rationale” for the spacing it chooses to use) that would be in addition to the longstanding spacing limit of 25mm, are unwarranted. We also submitted a number of editorial recommendations for Sections 1.1 and 2.5.1.

We have since been alerted that IC has taken TIA’s input into consideration, and that related revisions have been made to Section 3.1.1, removing the preferred 5mm spacing requirement, along with changes in light of our editorial recommendations to Sections 1.1 and 2.5.1. We sincerely thank you for your thoughtful consideration of our viewpoints and for making appropriate changes to the RSS-102 Draft.

We also submit these supplemental comments to note our remaining concern is that the RSS-102 Draft retains a requirement for an additional “rationale” for testing employing a non-preferred spacing. As we noted in our initial comments to IC, consumers are currently advised of the spacing and such a requirement is not needed. Moreover, we believe that the requirement of a “rationale” is unduly vague and will add confusion to the approval process.

Manufacturers currently are providing SAR spacing information in the user guide. In addition, the Mobile Manufacturers Forum has developed a separate informational section for user guides – called a “SAR Tick”⁴ – that provides additional spacing information for consumers.

An equally important concern is that the requirement of a “rationale” is vague and ambiguous. There are no criteria for determining what would constitute an adequate rationale or for how to develop such criteria. It appears instead that Industry Canada would be the sole arbiter of the adequacy of a given rationale. Such a requirement, therefore, would inject a level of unpredictability into every application for a grant.

For the above reasons, the requirement of a rationale in addition to the current spacing information is both unnecessary and burdensome. It would replace clear procedures with uncertainty. We, therefore, urge that the requirement be removed.

⁴ See Mobile Manufacturers Forum, “What is the ‘SAR Tick’?” (last visited March 1, 2013), *available at* <http://sartick.com/sar-tick.cfm>. The SAR Tick is a label included in user manuals which verify for the consumer that the product meets applicable national SAR limits, and indicates where specific maximum SAR values can be found in the user guide.

We request your consideration of the foregoing concerns shared by the ICT manufacturer and supplier community, and encourage you to contact the undersigned for further information or with any concerns.

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: /s/ Brian Scarpelli

Brian Scarpelli
Senior Manager, Government Affairs

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

1320 N. Courthouse Rd., Suite 200
Arlington, VA 22201
703.907.7700