January 19, 1984

Dissenting Statement of FCC Commissioner James H. Quello

In re: Amendment of the regulations to expand the notification and verification equipment authorization procedures.

I generally support the majority's move toward use of the notification procedure to reduce the burden of more onerous equipment authorization requirements. Of the kinds of equipment selected in this first attempt to use the notification procedures, an effort has been made to avoid equipment likely to require close scrutiny because of the way it is used and because of the technical sophistication of those likely to be using it. In most instances, the equipment selected is produced in relatively small numbers and, thus, any problems resulting from poorly designed devices could be resolved quickly and with relatively little effort.

My concern is not with notification. It is with verification. And, it is not with interference so much as it is with performance. The Commission has made a commitment to ensure that television receivers meet certain minimum performance criteria, including minimum UHF noise figure performance. We also have a responsibility under the all-channel statute. It is unclear to me how we are to discharge these commitments and responsibilities without any information about who is marketing television receivers and whether those sets make any pretense of complying with the statute and with our policies. Under the verification procedure, no information is to be submitted to the Commission and, of course, no grant of authorization is issued.

Given the Commission's concerns about minimum performance standards for television receivers, I do not believe that the present certification requirement is unduly burdensome. Perhaps notification would enable us to at least keep track of the sets being marketed. But, verification offers no hope of catching any problem before it threatens to overwhelm us.

Therefore, I dissent to that portion of the order which moves television receivers from the certification program to verification.