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Donna R. Searcy, Secretary
Federal Communications Commission
1919 M St. NW, Room 222
Washington, DC 20554

Before the
FEDERAL COMMUNICATIONS COMMISSION)
)
In the Matter of)
)
Amendment of Section 2 and Section)
15 of the FCC Rules, Title 47 CFR)
Section 2 and Section 15, to)
comply with the requirements of)
TELEPHONE DISCLOSURE AND DISPUTE)
RESOLUTION ACT and the ELECTRONIC)
COMMUNICATIONS PRIVACY ACT.)

ET Docket 93-1

To the Commission:

Neither the TELEPHONE DISCLOSURE AND DISPUTE RESOLUTION ACT or the ELECTRONIC COMMUNICATIONS PRIVACY ACT opposes the use of frequency converters. The Commission has therefore exceeded its Congressional directive by seeking to ban frequency converters for the 800 MHz and 900 MHz bands. This draconian provision, if adopted, will not only deny such devices to the public but will also deny such devices to the public safety, utility, amateur, and other licensees who use this portion of the spectrum. This is therefore an extremely harmful provision and should be removed from any final order.

Respectfully Submitted,

Bernard H. Ulfers (N9SBU)

Mailing address:

R 3 Box 318
Logansport, IN 46947

Phone: (219) 626 2698

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Respectfully Submitted,

Brian S. Roberts N9PCO

Mailing address: 1003 21st STREET

Logansport, IN 46942

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Phone: (none at this time)

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February 21, 1993

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Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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Commissioners,

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This is a comment about the proposed denial of equipment authorization to radio scanners capable of receiving transmissions in the Domestic Public Cellular Radio Telecommunications Service, also known as Notice of Proposed Rule Making in ET Docket 93-1, FCC 93-1.

The summary of 93-1 states:

"The intended effect of this action is to help ensure the privacy of cellular telephone conversations."

As defined in part 3 of the summary, "radio receivers which automatically switch between four or more frequencies anywhere within the 30-960 MHz band", my television can be defined as a scanner. Given that there are millions of televisions currently on the market, and many thousands of other receivers capable of receiving cellular frequencies on the market, the tremendous expense to make certain that no new receivers can switch between any four frequencies between 30 and 960 MHz would be "a drop in the bucket", hence would certainly not cost effectively "ensure the privacy of cellular telephone conversations".

To effectively ensure such privacy digital modulations techniques, such as Code Division Multiple Access (CDMA), which is being implemented now at various cellular markets in the United States, is necessary. While CDMA, in itself, contributes to rendering cellular transmissions uninterpretable to "scanner" users, to fully comply with the intent of "ensuring the privacy of cellular telephone conversations" non-trivial encryption of the digital data stream carried by the digital cellular networks seems mandatory. A public key encryption system, such as that promulgated by RSA, Inc., which has recently been adopted by the academic networks connected to the National Science Foundation high speed digital communications "backbone", known as the Internet, will ensure absolute privacy. Persons or agencies wanting to intercept such cellular transmissions would need to access the public switched telephone network to intercept the cellular communication. This method of interception is in compliance with Federal wiretapping laws.

As trivial encryption is currently available with some CDMA based digital cellular systems, a firmware or hardware upgrade to achieve "absolute privacy" would not add, substantially, to the cost of a digital cellular mobile terminal. The cellular telephone industry could then truly state that conversations (or data transmissions) using a cellular phone are truly "private" and "secure". Such privacy and security has a great potential to drastically expand the wireless communications infrastructure of the United States.

Thank you for your time.

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Craig Paul

Craig Paul

Wide Area Networking
Kansas University
Computer Center

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Comments on Docket No. 93-1

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

David Truran
1582 Rose Hedge Dr.
Poland, Ohio 44514

Feb. 21, 1993

Office of the Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Dear Commissioners:

After examining the text of Docket No. 93-1, I am convinced this proposed rule would NOT contribute to the stated objective of ensuring "the privacy of cellular telephone conversations."

Recent magazine articles on this topic indicate that there are already millions of scanning receivers in use that can receive frequencies in the 800 MHz range. The proposed law would not take effect for another year, providing ample opportunity for scanner manufacturers to sell many millions more.

Even if a scanner isn't capable of receiving signals in this frequency range, a simple converter can be used between the antenna and receiver to shift the frequency of the radio signals.

Trying to ban converters with 800 MHz in and some other frequency range out would be a futile effort. These are very cheap and simple circuits that any electronics hobbyist could build. Plans have been published in electronics magazines.

Besides having no benefits, this proposed rule creates several problems:

- (1) The technically ignorant public might get the idea their conversations are suddenly more secure. When they learn the truth they will be bitter and more distrustful of the telephone companies and government agencies that deceived them.
- (2) Privacy might even be reduced. Before the publicity on this topic, most people didn't realize it was so easy to listen to cellular phone calls. Many who never considered buying a scanner will run out and buy one during the next year.
- (3) New regulations would place an unnecessary burden on electronics manufacturers who would have to change designs and have them recertified.
- (4) It would set an unfortunate precedent. If we have a ban on receivers capable of receiving a certain

range of frequencies, other businesses will expect the same treatment for "their" frequencies.

- (5) The regulations could hit unintended targets. For example the 902 MHz band is now experiencing explosive growth for low power commercial and "ham" applications. Surely much of this equipment could easily be modified to pick up signals in the 800 MHz range even if the manufacturer didn't design it with that intention.

I'm all for guarding the privacy of cellular telephone conversations but this is not the way to do it. There is only one solution. The cellular telephone companies must make encryption options available.

In summary, I urge the Commission to reject the proposed regulations in Docket 93-1 because they would create many problems without making any progress toward the stated goal.

Thank you for your attention to this important matter.

Yours truly,

David Truran

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYJerome B. Jancuk
5301 Eastern Avenue
Baltimore, Md. 21224Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554

To Whom It May Concern:

I would like to formally respond to docket number 93-1 proposed ruling on scanners that receive cellular telephone transmissions.

My first and foremost concern regarding this proposal is the cost of enforcement of what you partake and the possible restriction of other services in the future to escalate this cost (ie. cordless phones, global personal communications, amateur radio phone patches, and personal pagers).

It is my opinion that it is the responsibility of those desiring protected communications to ensure it, not the Federal Gov't. There are currently easily and sufficient means to do this. Carriers can even provide a subscription protection service that would be more effective than any Gov't regulation could hope to be. Federal intervention is not necessary and this problem will take care of itself as soon as carriers evolve. Stop the unnecessary spending before it starts. Let those desiring this service pay for it. If the FCC is to become involved, arbitrate the protection means.

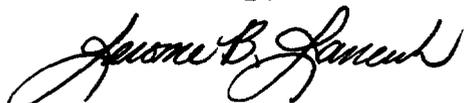
A comparison is made in the proposal document between regular telephone service and cellular telephone service regarding Federal wire tapping laws, note the operative word "wire". In the regular telephone service, the company providing the service owns the means. To my knowledge no one owns free space.

As for scanners, this proposal would shift the cost of protected frequencies to those who do not rely on it. This means that the scanner owner will be paying for receiver complexity without associated performance. Ridiculous!

There should be no assumption that any communication over the air is protected! This whole proposal comes from false assumptions.

Thank you for the opportunity to respond.

Sincerely,



Jerome B. Jancuk

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Comments on Docket No. 93-1

Steven Garrison
1716 Everglades Drive
Milpitas, CA 95035
Feb. 18, 1993

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FEDERAL COMMUNICATIONS COMMISSION
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Thank you for your attention to this important matter.

Yours truly,

A handwritten signature in cursive script, appearing to read "Steven Garrison", with a long horizontal flourish extending to the right.

Steven Garrison

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