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February 15, 1992

Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Dear Sir or Madam:

I am writing in response to Docket Number 93-1, which proposes a ban on all "scanning receivers" capable of tuning frequencies used by Cellular Telephone devices.

This proposed rule is misguided. It will do nothing to assure the privacy of cellular telephone conversations, and is likely to increase the cost and decrease the availability of scanning receivers to legitimate users.

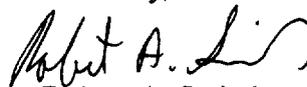
The public will be deceived into thinking their phone calls are private because of the laws barring "scanning receivers." If you really want to protect the public, you would enact legislation to:

- Require that all Cellular Telephones have a warning label stating "YOUR CONVERSATION MAY NOT BE PRIVATE."
- Print a similar warning on each months' bill.
- In the case of a conversation between a cell phone and a regular telephone, the caller on the "regular phone" may not know that the conversation isn't private. A short beep every ten seconds, similar to the one required by many phone recording laws, should be required on all conversations involving a cellular telephone.

In a few years, encryption technology would make a ban of "scanning receivers" pointless. If this senseless rule should be enacted, there should at least be an expiration period so that the ban would be automatically lifted in a number of years.

My company uses scanning receivers, and we depend on the ability to purchase low-cost equipment capable of tuning and scanning any frequency between 100 kHz and 1300 MHz. We certainly don't want to start spending more for this equipment (if we can get it at all) because the Cellular Lobby doesn't want to warn its users about the potential lack of security. The public may also become concerned that this receiving equipment is being banned because the Cellular Lobby doesn't want individuals to be able to monitor the levels of RF energy that some believe to be harmful. Certainly you'd want to avoid that controversy!

Sincerely,


Robert A. Swirsky