

DOCKET FILE COPY ORIGINAL

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

JUL - 2 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

93-61

In the Matter of)
)
Amendment of Part 90)
of the Commission's Rules)
to Adopt Regulations for)
Automatic Vehicle Monitoring)
Systems)

PR Docket No. ~~93-91~~
RM-8013

To the Commission:

COMMENTS OF PINPOINT COMMUNICATIONS, INC. IN SUPPORT
OF MOTION FOR EXTENSION OF TIME

Pinpoint Communications, Inc. ("Pinpoint"), by its attorneys and pursuant to Section 1.46 of the Commission's Rules, hereby submits its comments in support of the June 28, 1993 Motion for Extension of Time filed by the Part 15 Coalition. The Part 15 Coalition requests a thirty day Extension of Time until August 15, 1993 to file Reply Comments in the above-captioned proceeding. In its April 9, 1993 Notice of Proposed Rule Making ("Notice") in this matter, 8 F.C.C. Rcd 2502 (1993), the Commission solicited comments on its proposal to establish permanent rules governing the licensing and operation of Automatic Vehicle Monitoring ("AVM") systems. The Notice established a pleading cycle requiring interested parties to file comments by June 29, and reply comments 15 days later on July 14.

Pinpoint supports the Part 15 Coalition's Motion for Extension of Time. The

5/27/93 - ~~currently allowed for parties to reply to comments filed in this proceeding~~

First, this rulemaking addresses a number of important issues, the resolution of which will dictate the future of the AVM industry, and directly affect the public interest in a competitive AVM marketplace and in the realization of important national transportation policy objectives. The Commission has specifically recognized the important role advanced AVM technologies will play in Intelligent-Vehicle Highway Systems ("IVHS"). Notice, 8 F.C.C. Rcd at 2503. The degree to which IVHS will become a reality will depend largely on the outcome of this docket. Thus, the importance of the public policy objectives implicated in this proceeding recommends that sufficient time be allowed for parties to respond to the comments recently filed.

Second, the numerous (nearly 80), and wide array of, commenters responding to the Commission's Notice also supports providing additional time for replies. In addition to Pinpoint and other parties representing AVM interests, commenters included other 902-928 MHz band users such as amateur radio operators and organizations, manufacturers and users of Part 15 devices, and advocates of wind profiler radar systems. The comments address complex technical and economic issues that lie at the heart of the Commission's Notice. In addition, many commenters have offered counter-proposals to the Commission's proposed rules that deserve careful attention in light of the important policy objectives at stake. Pinpoint therefore believes that all participants to this proceeding would benefit from an extension of time.

Third, deadlines for comments in related proceedings are close in time to the current due date for reply comments in this proceeding. For instance, the

Commission's inquiry proceeding regarding the operation of wind profiler radar systems at 915 MHz, in which Pinpoint filed comments, are due on July 15, 1993, just one day after replies in this matter.¹ Many of the parties interested in the inquiry proceeding also are participating in Docket 93-61. Additionally, it is Pinpoint's understanding that the reply date in the refarming proceeding has now been set as July 30. Many of the same parties and counsel working on issues in the refarming proceeding will also be involved in the AVM proceeding.

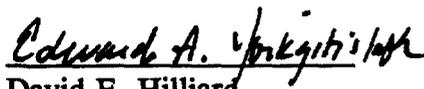
Given the paramount importance of this proceeding to the development of the AVM industry and the associated public interest benefits, the volume of comments, the diversity of viewpoints, the technical nature and complexity of the issues raised in the initial comments, and the timing of the reply date, Pinpoint believes that grant of the Part 15 Coalition Motion for Extension of Time is warranted.

¹ See *Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum for Wind Profilers Radar Systems*, Docket 93-59, 8 FCC Rcd 2546 (1993) ("Notice of Proposed Rule Making and Notice of Inquiry").

THEREFORE, Pinpoint requests the Commission to grant the Part 15 Coalition's Motion for Extension of Time and to extend the date for Reply Comments in PR Docket 93-61 until August 15, 1993.

Respectfully submitted,

PINPOINT COMMUNICATIONS, INC.



David E. Hilliard

Edward A. Yorkgitis, Jr.

WILEY, REIN & FIELDING

1776 K Street, N.W.

Washington, D.c. 20006

(202) 429-7000

Its Attorneys

July 2, 1993