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August 3, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

EX PARTE

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

RE: PR Docket 93-61, Automatic Vehicle Monitoring Systems

Dear Mr. Caton:

On Wednesday, August 3, 1994, John Lister, Peter Knight and I, on behalf of AirTouch Teletrac, met with Commissioner Rachelle Chong and Jane Mago, Senior Legal Advisor to Commissioner Chong. We discussed the information in the attached material. Please associate this material with the above-referenced proceeding.

Two copies of this notice were submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's Rules.

Please stamp and return the provided copy to confirm your receipt. Please contact me at 202-293-4960 should you have any questions or require additional information concerning this matter.

Sincerely,

Kathleen Q. Abernathy

Attachments

cc: Commissioner Chong
Jane Mago

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Teletrac Position on the Issues in the LMS Rulemaking

PR Docket 93-61: Automatic Vehicle Monitoring (AVM) Systems

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Teletrac

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Teletrac operates in Six Major Metropolitan Areas

Teletrac provides important services at affordable prices to individuals, businesses, and government agencies in each of its operational cities.

• *Los Angeles*	*December 1990*
• *Chicago*	*May 1991*
• *Detroit*	*July 1991*
• *Dallas*	*October 1991*
• *Miami*	*October 1991*
• *Houston*	*May 1992*

Services offered by Teletrac

The variety of services possible with Teletrac technology is diverse.

Consumer	Commercial
Stolen Vehicle Recovery	Fleet Management
Roadside Assistance	Panic Button Alert
Mobile Yellow Pages	Tractor/Trailer Security
Peace of Mind Location	Status/Messaging
Remote Door Lock/Unlock	Stolen Vehicle Recovery
	Law Enforcement Applications

Law Enforcement Uses of Teletrac

Teletrac's law enforcement customers include:

- **Federal Bureau of Investigation (FBI)**
- **Drug Enforcement Administration (DEA)**
- **Bureau of Alcohol, Tobacco and Firearms (ATF)**
- **U.S. Customs**
- **Los Angeles County Sheriff**
- **California Highway Patrol**
- **Detroit Police Department**
- **Michigan State Police**
- **Many other agencies in Teletrac's operational areas**

Teletrac understands the issues associated with use of the 902 to 928 MHz frequency band.

The multi-user environment forces compromises among the users for equitable and efficient use of the spectrum.

- **A hierarchical regime for spectrum use has been established.**
- **In an ideal environment all users would get what they want.**
- **In a multiple -use environment compromises are necessary.**
- **The basic principles and rules that govern licensed and unlicensed spectrum users are well established and have been in place for years.**
- **Users of the spectrum take on the responsibilities (and the benefits) associated with operating in this band when they choose to do so.**
- **Rules must be adapted when necessary in response to technological and market developments (hence, the existence of interim rules and the need for permanent rules).**

Permanent rules for LMS PR Docket No. 93-61.

The LMS industry needs an immediate resolution to the current proceeding:

- **The LMS industry has been operating under temporary rules for 20 years**
- **During this time, substantial investment has been made to design and develop LMS technology**
- **The industry and its customers have reached a point where the uncertainty of temporary rules must be quickly eliminated**
- **New and expanded investments in technology cannot be made without permanent rules**

Permanent rules for LMS PR Docket No. 93-61.

- Geographic expansion is not possible in an uncertain regulatory environment
- New customers must have confidence that the investments they make will not be at risk from changes in FCC rules
- Investors will not risk capital to expand the industry unless they are confident there are permanent rules

The FCC should complete the LMS NPRM as soon as possible:

- The NPRM has been underway since April, 1993
- During this time, the key issues have received extensive study and discussion

Permanent rules for LMS PR Docket No. 93-61.

- All of the interested parties have had an opportunity to present their views to the FCC
- The parties to the NPRM have narrowed their divergent points of view through discussion and negotiation
- It is most unlikely that additional time devoted to additional comments will narrow the areas of disagreement

Summary

- Part 15 concerns should be taken in context with their allocations outside the 902-928 MHz ISM band as well as their reduced regulatory oversight. These advantages far outweigh any disadvantages resulting from secondary status.

- Existing customers should not be disrupted. It is more detrimental to the public to displace an existing service than it is to displace one under development.

- The final rules may impact all users of the band, but the end result needs to be a more certain environment in which products and services can continue to develop.

- Real world experience shows Part 15 and LMS do coexist and fears of incompatibility are severely overstated. The LMS community has endeavored to help alleviate these fears.

- There is sufficient evidence for an FCC decision to finalize the LMS rules to allow continued growth of this vital industry.

Summary of Key Part 15 Issues

Part 15 Interference to Teletrac

- In 2 to 3.5 years of operation only isolated cases have occurred in close proximity to receive sites
- Actual cases represent less than 1 in 14,000 Part 15 of all devices operating in Teletrac markets
- Primarily caused by long range video links and anti-shoplifting systems (47 of 50 total cases)
- These can interfere more than others due to fixed or high installations and continuous transmissions
- Only three other incidents have occurred (2 cordless phones and 1 long range data link)
- There have been no cases of harmful interference from other Part 15 devices
- Most Part 15 devices do not present a problem since they transmit intermittently or are nomadic

Interference to Part 15 from Teletrac

- There have been no reports of interference from Teletrac to Part 15 users
- The potential for interference comes from forward link transmissions
- Forward links are narrowband and occupy less than 1% (250 kHz) of 902-928 MHz band
- Sporadic short duration signals from Teletrac mobiles present virtually no interference to Part 15

Resolution of Part 15 Interference

- Teletrac has paid to resolve almost every case of interference to date
- In some cases the Part 15 manufacturer has undertaken the cost of modifying equipment
- Cases have been resolved by migrating operating frequency of Part 15 device out of Teletrac band
- Most require only inexpensive crystal oscillator change (a few entailed equipment replacement)
- Users of Part 15 equipment have not incurred cost nor been required to cease operation
- Teletrac tolerates interference when it is present and takes advantage when it is not
- System tolerates interference well because of site redundancy, processing gain and dynamic range
- System is capable of receiving weak mobile signals when interference is minimal
- Minimal interference occurs at many receive sites because of sporadic nature of Part 15 transmissions

Business Factors Drive Continuation of Existing Policy

- Teletrac's policy of minimizing claims of harmful interference and paying to resolve the isolated cases that do occur makes good business sense now and in the future
- Pursuing interference that does not degrade system performance is not cost-effective
- Public relations backlash of shutting down Part 15 devices would not be in company's interest
- Shutting down devices would entail considerably more cost and time than paying to migrate them
- Cost of migrating the isolated devices that do cause interference is minimal
- Practicality of shutting down devices is diminished as more devices are deployed
- In a scenario where interference is widespread adding receiving sites would be most effective remedy
- Trying to shut down Part 15 devices makes no business sense in such a scenario
- Experience and analysis show that a scenario of widespread interference is not likely
- Mutual interference among Part 15 devices would be unacceptable well before problems arise with Teletrac