

EX PARTE OR LATE FILED

RECEIVED

SEP -2 1994

REED SMITH SHAW & McCLAY

1200 18TH STREET, N.W.
WASHINGTON, D.C. 20036-2506

202-457-6100

FACSIMILE
202-457-6113
TELEX NO. 64711

WRITER'S DIRECT DIAL NUMBER

(202) 457-8657

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

PITTSBURGH, PA
PHILADELPHIA, PA
HARRISBURG, PA
McLEAN, VA
PRINCETON, NJ

DOCKET FILE COPY ORIGINAL

September 2, 1994

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

**Re: Notice of Ex Parte Contact
PR Docket No. 93-61**

Dear Mr. Caton:

Pursuant to Section 1.1206 of the Commission's Rules, notice is hereby given of an ex parte communication regarding the above-referenced proceeding. The instant notice is being submitted in duplicate.

Concurrently herewith we are delivering to FCC Chairman Reed E. Hundt the attached letter concerning the referenced docket. Please associate this notice with the record in this proceeding.

Sincerely,

REED SMITH SHAW & McCLAY



Marnie K. Sarver

cc: Ruth Milkman

No. of Copies rec'd
List ABCDE

041

RECEIVED

SEP -2 1994

REED SMITH SHAW & McCLAY

1200 18TH STREET, N.W.
WASHINGTON, D.C. 20036-2506

202-457-6100

FACSIMILE
202-457-6113
TELEX NO. 64711

WRITER'S DIRECT DIAL NUMBER

(202) 457-8646

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

PITTSBURGH, PA
PHILADELPHIA, PA
HARRISBURG, PA
MCLEAN, VA
PRINCETON, NJ

September 2, 1994

Hand Delivered

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Suite 814
Washington, D.C. 20554

Re: PR Docket No. 93-61 (RM-8013)

Dear Chairman Hundt:

I am writing on behalf of MobileVision, L.P., to express our appreciation for your meeting with us on July 27, 1994 to discuss the current proposed rulemaking for Location Monitoring Systems in the 902-928 MHz band.

MobileVision is encouraged by the proposal informally circulated by the Public Radio Bureau staff in August and has provided comments to the Commission in support of auctioning, with appropriate "grandfathering" protection, the frequency bands allocated to LMS while preserving within those bands the current hierarchy of users.

As Rod Gray, President of MobileVision, indicated at our meeting, the uncertainties surrounding the outcome of this proceeding have effectively made capital resources unavailable to MobileVision and other entrepreneurs. As a result, MobileVision has been unable to deploy the technology that it has already developed, and thus provide the public with this valuable public service. MobileVision is very concerned that further delay in the promulgation of a rule and order, and therefore a continued lack of available investment, will permanently cripple its ability, as well as the ability of other entrepreneurs, to take advantage of the recent proposal advanced by the Bureau staff.

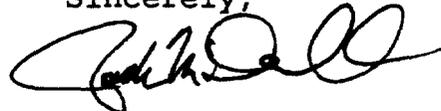
REED SMITH SHAW & McCLAY

The Honorable Reed E. Hundt
September 2, 1994
Page 2

We would urge the Commission to adopt a final rule and order in this matter, incorporating the essential elements of the August proposal, as quickly as possible to avoid that result. If clarification of any previously submitted comments or further information would be helpful to the Commission, MobileVision will, of course, provide such clarification or information promptly.

Thank you again for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. McDonnell", written in a cursive style.

John J. McDonnell

JJM/agw