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September 30, 1994

HAND DELIVER

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

DOCKET FILE COPY ORIGINAL

Re: GEN Docket No. 90-314
Ex Parte Presentation

Dear Mr. Caton:

Pursuant to Section 1.1206 of the Commission's Rules, this letter is to advise you that Mr. Douglas Smith, Mr. Timothy Hopple, and Mr. Michael Williams of Omnipoint Corporation and I met today with Mr. Julius Knapp, Mr. Phillip Inglis, and Mr. David Reed, of the Commission's Office of Engineering and Technology and Mr. Stanley Wiggins of the Commission's Common Carrier Bureau. At the meeting, we discussed the issues raised in Omnipoint's "Petition for Reconsideration" and "Reply to Oppositions to Omnipoint's Petition for Reconsideration" filed in the above-referenced docket on July 25, 1994 and September 19, 1994, respectively. In particular, the discussion focussed on the points contained in the attached summary sheets, copies of which were distributed to the Commission's staff. Copies of a chart, attached as Figure 1 to Omnipoint's Reply and attached hereto, were also given to the Commission's staff.

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SEP 30 1994

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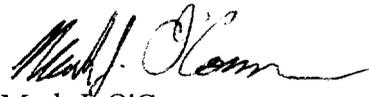
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Mr. William F. Caton
September 30, 1994
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In accordance with the Commission's rules, I hereby submit one original and one copy of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark J. O'Connor". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark J. O'Connor
Counsel for Omnipoint Corporation

Enclosures

cc(w/ enclosures):

Julius Knapp
Phillip Inglis
David Reed
Stanley Wiggins

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LICENSED PCS

Proposed rule modification: Adoption of Proposed Emissions Mask and Measurement Technique

- Unlicensed PCS allows more out-of-band emissions than licensed PCS
- Spurious emissions may not be detected with a 1 MHz resolution measurement bandwidth
- CW tones fail current emission limits (24.238)
- As a result, Omnipoint petitioned the FCC on emission limits
- 1% resolution measurement bandwidth simplifies measurement and design of interoperable systems for both licensed and unlicensed PCS

LICENSED PCS (continued)

- Omnipoint proposed an out-of-band emissions limits mask similar to unlicensed mask
- Proposed spectrum mask allows constant envelope modulation = lower cost designs (non linear power amps vs. linear power amps with backoff)
- Industry supported the proposal, MCI indicated a need to study it - Omnipoint modified the proposal to address MCI's concerns
- This is not a narrowband vs. wideband issue. Narrowband systems face the same issues. Further 5 of the 7 JTC proposed standards for fully mobile PCS are "wideband"
- Celeritek supported Omnipoint's petition for out-of-band emission limits supporting constant envelope modulations

LICENSED PCS (continued)

- Motorola agreed with Omnipoint's technical points and recommended ANSI C63 look into emission limits
- Since a HS has limited power output capacity PCS already has approximately 7 to 10 dB disadvantage in propagation due to higher frequency than Cellular - Power Backoff required by Linear Modulations is a further penalty
- A rule must be in place and no delay is necessary - the modified Omnipoint rule proposal addresses MCI's stated concerns; it must be adopted and presented to the manufacturers and potential service providers as soon as is feasible so as not to delay the engineering or deployment of PCS.

UNLICENSED PCS

Proposed rule modification: increase LBT and frame period to 20 milliseconds/ X (15.323 (c)(1), (e))

- Increased LBT and frame period affects spectrum access **only**
- **No technology** would be **excluded** by this proposed rule modification
- Single opposing comment is based on **deployment assumptions**, not technical requirements
- **No** impact on duplex connection operation
- Proposed rule modification supports **advanced technology**, low bit rate vocoders (e.g. IS-95 CDMA's variable rate vocoder uses 20 millisecond frame period)

UNLICENSED PCS (continued)

- Proposed rule modification improve capacity using low bit rate vocoders = **lower cost** to consumers
- Licensed/unlicensed **interoperability is enabled** by this proposed rule modification
- Excellent PCS Technology standardization (JTC) progress: V & V, Nov. ballot, **interoperability is expected**
- **No proof** of burden has been shown due to extending the LBT and frame period
- Omnipoint experienced **complete loss** of wideband unlicensed allocation

UNLICENSED PCS (continued)

- Omnipoint unlicensed PCS system has been forced to **adjust** to 1.25 MHz channelization
- No other unlicensed technology has been so **severely affected** by rule changes
- Compomises should be made by all vendors, not just those of new technologies

This proposed rule modification should be granted because the inclusion of an interoperable technology outweighs the miniscule 1/100th of a second additional delay at initializing spectrum access. No technology is excluded by acceptance of the proposed rule modification.

Time to Find Unused Frequency Slot is Minimally Impacted
By Increasing LBT Time from 10 msec to 20 msec.
20 msec Frame Time is OK

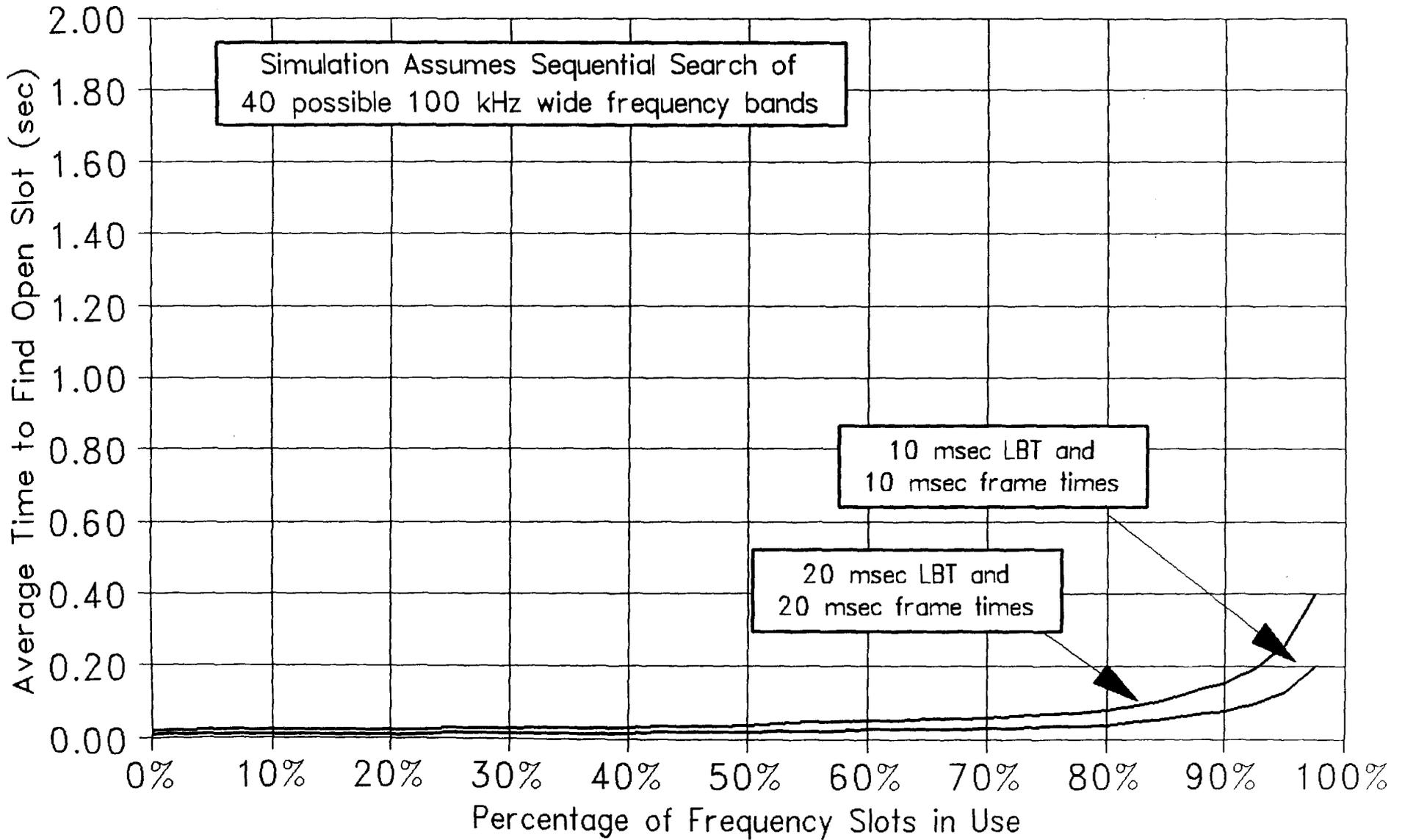


FIGURE 1