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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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November 3, 1994

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EX PARTE

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

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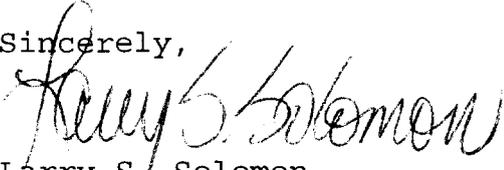
Re: PR Docket No. 93-61
Automatic Vehicle Monitoring Systems

Dear Mr. Caton:

On Wednesday, November 3, 1994, Donald Rumsfeld, a member of the Board of Directors of Metricom, Inc., Gary Green, Chief Operating Officer of Metricom, Inc., Michael Pettus, Director of Hardware Engineering of Metricom, Inc., and Henry Rivera and I, of this firm, met with Commissioner Rachelle Chong and her Special Advisor, Jill Lockett. At this meeting the views of Metricom, Inc., as set forth in its various filings on proposed solutions and compromises in this proceeding, were discussed. In addition, Metricom's unlicensed wireless technology for interconnection to the Internet and America On Line was demonstrated. The attached materials were used in connection with Metricom's presentation at the meeting.

Two copies of this letter are being submitted to the Secretary of the Commission pursuant to § 1.1206(a)(1) of the Commission's Rules. Because various meetings ran late into the afternoon, this notice is being filed the day after the meetings.

Sincerely,


Larry S. Solomon

Attachments

cc: Commissioner Rachelle Chong
Jill Lockett

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**P.R. Docket 93-61:
Automatic Vehicle Monitoring Systems**

**Presentation
to
Commissioner Rachelle Chong**

**Metricom, Inc.
November 2, 1994**

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FCC Encouragement of Part 15

“The new rules will significantly increase the potential range of permissible designs for Part 15 spread spectrum systems and thereby broaden the opportunities for development and use of this important new technology.”

Amendment of Parts 2 and 15 of the Rules With Regard to the Operation of Spread Spectrum Systems, (Report and Order), July 9, 1990, Paragraph 1.

FCC Support of Part 15

“Today there are literally millions of Part 15 devices operating in the 902-928 MHz band...there has recently been substantial development of, and investment in, equipment using this [2400-2483.5 MHz] band...It is unlikely that a licensed service would be able to share this band with these devices...”

FCC Report to Ronald H. Brown, Secretary, U.S. Department of Commerce, Regarding the Preliminary Spectrum Reallocation Report, August 9, 1994, Paragraph 39.

The Operational Problem

Part 15 and the new, expanded LMS service cannot co-exist as presently proposed without harm to both:

- Part 15 transmissions will interfere with new LMS receivers
- Band hierarchy enables LMS to force Part 15 devices to cease operation

The Enforcement Problem

Forcing Part 15 devices to cease operation will not work:

- Identification of interference source
- Forcing cessations of operation
- Public outcry
 - To FCC
 - To Congress
- Elimination of Part 15 applications

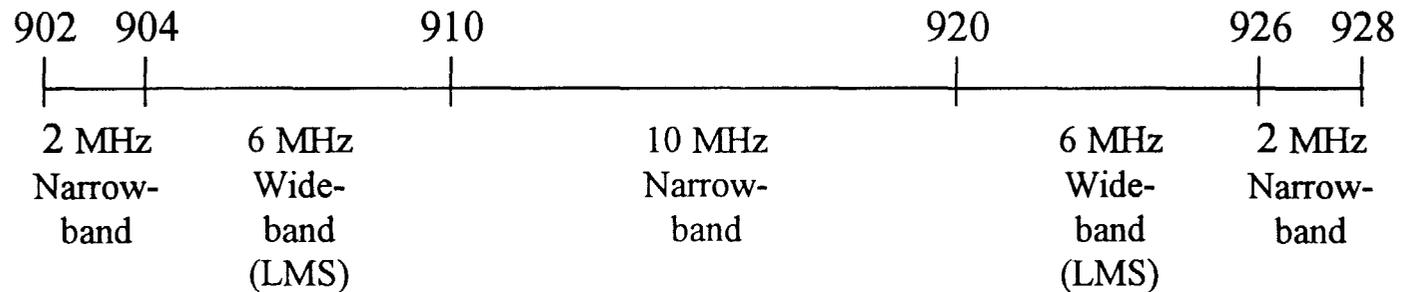
Metricom

Metricom Network Applications:

- Utility distribution automation
 - More than 20,000 radios presently installed
 - SCE: Save \$40 million and 1 billion kWh per year
- Industrial communications
 - Waste water districts
 - Gas well field monitoring
- Wide-area data communications networking
 - Access to corporate resources
 - Wireless Internet/NII
 - Low cost for schools and individuals

Staff Proposal

- Segments Band as Follows:



- In the two 6 MHz segments:
 - Part 15 operator must resolve interference if Part 15 device:
 - a. uses outdoor antenna more than 5 meters above ground
 - b. uses equipment not meeting new technical requirements
 - c. is a field disturbance device
 - Part 15 device complying with one of these thresholds is presumed not to cause interference

Staff Proposal

Threshold Issues:

- Makes Part 15 resemble licensed service
 - Each antenna location must be identified, scrutinized
 - Results in increased cost to consumers

- Imposes significant enforcement and legal burdens
 - Which specific device is causing interference?
 - House-to-house searches?

Staff Proposal

Proposed Thresholds Change Part 15 Rules:

- No FCC rule, order or discussion limits Part 15 device location
- Part 15 antennas above 5 meters do not violate any FCC rule
- Automatic thresholds are inconsistent with hierarchy rules
- Automatic thresholds are not legally sustainable

Staff Proposal

Height Restrictions Impermissibly Change Part 15 Rules.

- Beyond scope of proceeding (see Erratum)
- Arbitrarily single out a class of Part 15 devices
- Will force Part 15 devices out of band
- Discourages further development of Part 15 devices

Staff Proposal

Height Restrictions Are Technically Meaningless

- Fail to consider terrain and structures
 - relative height of interferers
- LMS receivers located and optimized to receive from street-level and in-building LMS transponders

Staff Proposal

Height Restrictions Devastating To:

- Metricom
- Ademco
- Cylink
- Tetherless Access
- CellNet
- Many others
- Future Part 15 development

Staff Proposal

A change of this magnitude to the original NPRM requires formal notice and comment.

Part 15 With Thresholds

- Negative impact on Part 15 businesses
 - Chilling effect on R&D
 - Chilling effect on investment
 - Chilling effect on sales
 - Negative impact on consumers
 - Stranded investment
 - \$2 billion according to Part 15 Coalition in this proceeding
- Negative impact on American economy
 - American technology
 - American companies
 - American jobs

Conclusion

Do not adopt any resolution to this proceeding that contains a height restriction on Part 15 devices.