

*Docket file
M.S. 1170*

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

APR 18 1995
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IN REPLY REFER TO:
CN9501704

Honorable Carol Moseley-Braun
United States Senate
320 Hart Senate Office Building
Washington, DC 20510-1303

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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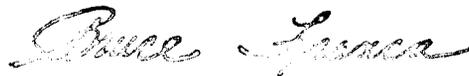
Dear Senator Moseley-Braun:

Thank you for your correspondence regarding the Commission's proceeding which addresses additional frequencies for cordless telephones. Your constituent, Jerry Kalov, of Cobra Electronics Corporation, expresses concerns regarding the designation of a specific scanning technique by the Commission and the effective date of final rules.

The Commission adopted a Report and Order in ET Docket No. 93-235 on April 5, 1995, that made 15 new channels available for use by cordless telephones in order to alleviate congestion on existing channels. (A copy is enclosed for your information.) In the Notice of Proposed Rulemaking in this proceeding, the Commission specifically requested comment on the concerns raised by your constituent. Comments from numerous parties, including those of Cobra, were considered before final decisions were made. The Commission decided that it was not necessary or desirable to impose specific design standards and believed that it was important to allow manufacturers the flexibility to implement technical requirements in a manner that best suits their equipment design. Additionally, the Commission found that the public interest would not be served by delaying the effective date of the rules, merely to allow importers and manufacturers to deplete their existing inventories.

Please be assured that the concerns of your constituent were taken into consideration before final rules were adopted.

Sincerely,



for Richard M. Smith
Chief
Office of Engineering and Technology

Enclosure

cc: Chief, OET
Richard Engelman
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Chief, TRB

Chief, PRD

CAROL MOSELEY-BRAUN
ILLINOIS

United States Senate
WASHINGTON, DC 20510-1303

April 5, 1995

Ms. Judy Harris
Director
Federal Communications Commission
Office of Legislative Affairs
1919 M Street NW
Washington, D.C. 20554

Dear Ms. Harris:

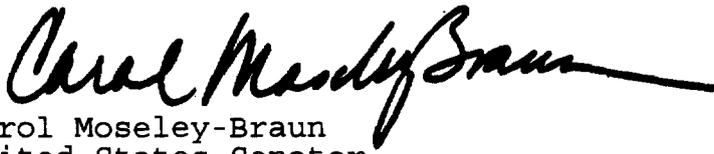
Enclosed is an inquiry I received from my constituent, Jerry Kalov.

Because of my desire to be responsive to all communications, your consideration of the matter is requested.

Please return your findings in duplicate form along with this correspondence to the attention of Elisabeth Mills on the envelope only.

Thank you very much for your consideration.

Yours truly,



Carol Moseley-Braun
United States Senator

CMB:em

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF LEGISLATIVE AFFAIRS



6500 West Cortland Street • Chicago, Illinois 60635 • 312-889-8870 • Fax: 312-794-1930

Via Facsimile - Fax #202-724-2626

April 3, 1995

The Honorable Carol Moseley-Braun
United States Senate
320 Senate Hart Office Bldg.
Washington, DC 20510

Re: FCC ET Docket #93-235

Dear Senator Moseley-Braun:

We are concerned about a possible pending action before the FCC that we understand has been scheduled for review this Wednesday, April 5, 1995. I have enclosed a copy of our company's Ex Parte filing, which was made on March 21, 1995, requesting that the FCC delay action on this issue. Although we are not certain it will be on the docket this Wednesday, there is sufficient rumor about it to cause us great concern.

We are puzzled by the unprecedented way in which the FCC is currently viewing this matter. We think it is critical that the FCC not only approve the frequencies for additional cordless telephones (which we support), but they should also determine the scanning techniques to be sure that products will work properly in the field. We are also very concerned about a premature announcement from the FCC about the approval of a system that may not yet be ready to go to market, and the subsequent commercial damage it could do to our company.

Cordless telephones are a very significant part of our business. Serious, negative financial consequences to our company will occur if an action by the FCC is made public in a precipitous manner, before the industry is ready to adopt the standard and develop products. We would like to emphasize that we are NOT against adding new cordless phone frequencies, but think it is extremely important that it be done in an orderly way. Sufficient time must be allowed for products to be developed and put to market, while at the same time allowing an orderly sell-off of current inventories. The products that we make today are well suited for the consumer marketplace and we are not currently experiencing any interference problems.

We would like to request that your office assist us in expressing concern to the FCC over the timing of this issue. Your assistance is greatly appreciated.

Sincerely,

Jerry Kalov
President and Chief Executive Officer

JK/jb



6500 West Cortland Street • Chicago, Illinois 60635 • 312-889-8870 • Fax: 312-794-1930

EX PARTE FILING

March 21, 1995

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

RE: ET Docket No. 93-235 Ex Parte
New Cordless Telephone Frequencies

Dear Mr. Caton:

Cobra Electronics Corporation (hereinafter "Cobra") hereby requests that this correspondence be associated with the record of the above referenced document. Cobra is aware of §1.415 (d) of the rules and believes that the record of this proceeding needs clarification and feels that the public interest would be better served by supplementing that record with the additional information provided herein on an Ex Parte basis.

Cobra filed both Comments and Reply Comments that were supportive to the additional new 15 cordless phone frequencies, but did take exception to the vagueness of the scanning proposal and to the 30-day implementation period.

The problem is just as Cobra feared, the wholesale trade is now confused and does not know whether it should continue to buy 10 channel product or wait until 25 channel products can be sold. This is not only because of the uncertainty of when 25 channels will be approved, but also because of the present potential timing for the Report and Order, which makes availability for fall catalogue sales uncertain. So just as Cobra predicted its sales for the last half of 1995 have already started to suffer even though 25 channels have not yet been approved.

Another problem is some companies like Cobra have not fully developed 25 channel product because of the vagueness of the scanning proposal set forth in the NPRM, and the fact that as of January of this year, the FCC had not even started to look at 25 channels. Cobra for one, was under the impression that the FCC would not start looking at 25 channels until this spring and that it would take at least 5 to 6 months at best for the FCC to come out with a Report and Order, so Cobra slowed down development of 25 channel product.

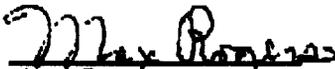
Much to our surprise barely one (1) month later the FCC is now saying that the Report and Order could come out as early as April of this year. Needless to say that if this happens and if the effective date remains at 30 days, Cobra would be left with no 25 channel product and only devalued 10 channel product to sell for the last half of 1995, which would further exacerbate the sales problem. This would be a disaster of the worst kind for a small company such as Cobra that relies heavily on cordless phone sales for its existence. It is therefore absolutely crucial for Cobra that the FCC gives enough time for the industry to properly make the transition from 10 to 25 channels. This means, as Cobra has already indicated, that a bare minimum of 6 months for the effective date is essential and depending on the actual release of the Report and Order, 12 months is preferable. This is because many companies, like Cobra, only have one (1) design cycle a year. If the Report and Order comes out in the middle of that design cycle, then it would take a year from then to design a 25 channel product.

It is also becoming more and more apparent that the vagueness of the scanning proposal is still a serious problem. Cobra has asked that there should be some clarification and feels that there could be some dire consequences if it is left up to each company. Cobra reminds the FCC that when the FCC released 10 channels in the 80's it left digital security up to the manufacturer, but after overwhelming 911 false alarms the FCC had to amend the rules after the fact, to require digital coding.

In conclusion, Cobra urges the FCC to take the time needed to make sure that the Report and Order when released, will be a responsible document that will take into account the needs of the entire industry so that in the long run, the public interest will be better served. In Cobra's opinion these needs include clarification of the scanning routine and a 6 to 12 months effective date.

Respectfully submitted,

Cobra Electronics Corporation


Max Rogers,
Chief Engineer

MR/br