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FEDERAL COMMUNICATIONS COMMISSION
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the matter of	)	
	)	
Amendment of Parts 15 and 90 of the Commission's Rules to Provide Additional Frequencies for Cordless Telephones	)	ET Docket No. 93-235

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OPPOSITION TO PETITION FOR RECONSIDERATION BY UNIDEN AMERICA CORPORATION

1. Uniden America Corporation (hereinafter "Uniden") respectfully submits its opposition to the above captioned Petition for Reconsideration filed by the American Petroleum Institute ("API").

INTRODUCTION

2. Along with its parent corporation and affiliate companies, Uniden manufactures and markets a broad line of communications equipment, including cordless telephones operating under Part 15, as well as land mobile radio equipment operating under Part 90 of the Commission's Rules. Uniden filed comments in support of the Notice of Proposed Rule Making and has also subsequently received equipment authorization from the Commission (both Registration and Certification) for devices which will operate under the

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provisions of the Report and Order adopted on April 5, 1995, in this docket. As of the June 6, 1995, Uniden has been allowed to import and market the cordless telephones which are the subject of this docket (ET 93-235). Ironically, API's petition was filed on June 5, 1995, the effective date of the Report and Order.

3. Uniden believes that API's Petition must be denied because it reveals nothing which had not already been considered by the Commission before the Report and Order was adopted.

DISCUSSION

4. In its Petition, API is proposing that the cordless telephones operating on the 15 new channels have the feature of automatically switching "to an unused channel <u>regardless</u> of when the operation occurs -- prior to or during the telephone communication". This technology would be extremely expensive and would cause a complex redesign of the new cordless telephones already approved. However, that is not the issue at all. The fact remains that there is not enough usage on these new frequencies to warrant such an expense in the first place. This issue was discussed many years ago with the Commission staff when the new frequencies were first proposed. It was the conclusion by the FCC staff that statistically, it was a "non-issue" because of the very slight usage on the (then) proposed frequencies.

5. Uniden contends that no communications device is totally free from the potential for interference. We believe that API is using this issue as a "scare tactic" and that if it was really concerned about interference on these new cordless telephone frequencies, its members would "put their money where their mouth is" and utilize this area of the spectrum and purchase more equipment in these bands. As mentioned in our Reply Comments filed in response to the Notice of Proposed Rule Making in this docket, we stated that "Uniden has stopped production of all Part 90 communications equipment that operate in the bands affected by this action". We further explained that the reason was that "the purchasing trends, of those customers who once purchased this type of equipment, have shifted towards higher frequency systems employing more sophisticated trunking technology".

6. It is the continued belief of Uniden that the concern for interference is adequately addressed by the mandated technology that requires a clear channel before establishing a communications link on any new cordless telephone channel. There may be a slight risk at some time, in certain geographic locations, that a cordless telephone user may encounter some slight interference. However, when you "step back" and analyze the total picture, there will certainly be a major reduction in interference associated with the new cordless telephones utilizing the additional frequencies, as compared to the existing 46/49 MHz cordless telephones.

7. In its petition, API used such verbiage as "cordless

telephones flooding the marketplace at a rate of 16-17 million per year". It went further to state that "(T)he Order ignores treating this concern in a constructive manner". This is another example of "scare tactics" as Uniden cannot conceive how a 25 microwatt device is capable of "flooding" anything. The frequency reuse factor of cordless telephones operating under the provisions of this Order only serves to demonstrate that many low power devices can operate in a small geographical area without interfering with each other, even when operating on or near the same frequency. As mandated by the Commission, the occupied channel avoidance mechanism will undoubtedly allow cordless telephones on these new channels to operate only when there are no other communication services "on the channel". Given the total number of licensees and units operating on these new frequencies, it is obvious that most of the time, these frequencies will remain unoccupied, and in many locations, the frequencies will never be used at all.

8. Finally, in API's petition, it "request(s) that the existing Part 15 labelling requirements for these devices be strengthened" to require a "2-inch by 3-inch" label on the packaging as well as on the device itself. Uniden believes that this request is absolutely ridiculous. Very few Part 15 devices have an interference avoidance mechanism mandated to be as sophisticated as the technology required for the new cordless telephones. Therefore, Uniden respectfully asks the Commission to deny this labelling request because the current labels are more than adequate to do the job.

CONCLUSION

9. API and its constituents should be applauded for pioneering the use of two-way mobile radio for industrial applications, as their petition indicates. However, times have changed. Radio communications and wireless technologies have become much more prevalent and demanding upon our spectral resources. One of the "buzz word" sayings today is "spectrum efficiency". Surely, API is aware of these newer trunking technologies as they also operate in the higher frequency bands where this technology is mandated. Uniden, and the cordless telephone industry, desire to become more spectrally efficient with the consumer cordless telephones that are the subject of this proceeding. We believe that it is in the best interest of the populace to continue with the new 25 channel cordless telephones. It is therefore requested that the Commission deny the Petition for Reconsideration filed by the American Petroleum Institute in ET Docket No. 93-235.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, James R. Haynes, hereby certify that pursuant to the requirements in 47 CFR 1.429(f), a copy of the foregoing Opposition to Petition for Reconsideration has been served to the party listed below.

James R. Haynes
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July 11, 1995

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