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August 21, 1995

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20006
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: Ex Parte Communication in PR Docket No. 93-61
on behalf of Amtech Corporation

Dear Mr. Caton:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, notice is hereby given of an *ex parte* communication regarding the above-referenced proceeding. An original and one copy of this letter are being filed with the Secretary's Office.

Today, John L. Bartlett of this firm and I met with Ms. Rosalind Allen, and Messrs. B.C. Jackson, Jr., and Ibn Spicer of the Commercial Wireless Division of the Wireless Telecommunications Bureau to discuss Amtech's views in this proceeding on reconsideration. The positions advanced are covered in the Petition for Partial Clarification and Reconsideration filed April 24, 1995, on behalf of Amtech Corporation. A copy of the material being provided to the staff is enclosed.

Should any question arise concerning this matter, please contact me.

Respectfully submitted,

David E. Hilliard

David E. Hilliard
Attorney for Amtech Corporation

cc: Rosalind K. Allen, Esq. (w/ encl.)
Mr. B.C. Jackson, Jr. (w/ encl.)
Ibn Spicer, Esq. (w/ encl.)

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Amtech Positions on Reconsideration
PR Docket No. 93-61
August 21, 1995

Critical Issues Affecting Grandfathering

TYPE ACCEPTANCE

Implementation

- Revise Section 90.203(b)(7) to require non-multilateration LMS equipment *imported or domestically manufactured* after a specified date to be type accepted. Non-type accepted equipment imported or domestically manufactured before the effective date of the type acceptance requirement should be permitted to be used, provided it causes no interference. To do otherwise would require the needless replacement of equipment. The transition that would occur under such an approach would be far more orderly than that set forth in the Report and Order and would be consistent with prior Commission actions.

Frequency Tolerance

- Revise the rules to apply the .00025% frequency tolerance requirement to non-multilateration systems with center frequencies within D of the band edge where D = .5(the authorized bandwidth) + 40 kHz; if the center channel is located D kHz or more from the band edge, then require the frequency tolerance to be +/- 40 kHz. The change will facilitate the deployment of equipment to meet LMS needs that, while permitted under the rules, cannot be addressed cost-effectively with the tighter tolerance, which is generally not needed in a non-channelized service.

- For portable readers that operate intermittently (*i.e.* only when manually activated by a momentary push-to-transmit switch), the frequency tolerance limit should not apply provided that the effective radiated power is 10 watts or less and the unit satisfies an emission mask of 43 + 10 log(P) in dB as set forth in Section 90.209(c)(1)(iii) of the Rules. This change will facilitate the continued development of portable readers for use by public safety and transportation personnel.

Out-of Band Emissions

- For non-multilateration transmitters operating with an output power of two watts or less, apply the general limit of 43 + 10 log(P) at the band edge. Such an approach would be more consistent with the nature of the ISM spectrum in which non-multilateration systems operate.