

BEFORE THE
Federal Communications Commission
WASHINGTON, DC 20554

MAR 27 1997

In the Matter of)
)
Guidelines for Evaluating the Environmental) ET Docket No. 93-62
Effects of Radiofrequency Radiation)
)

To: The Commission

COMMENTS OF AIRTOUCH COMMUNICATIONS, INC.

Pursuant to Section 1.429(f) of the Commission's rules, AirTouch Communications, Inc. ("AirTouch"), hereby submits brief comments in support of the Petitions for Partial Reconsideration filed January 23, 1997, seeking extension of the deadline for compliance with the Commission's new radiofrequency (RF) emission rules.¹

On August 1, 1996, the Commission released its *Report and Order* in the above-referenced proceeding. The Commission initially adopted a January 1, 1997, deadline for compliance with the RF emission guidelines.² In the *Report and Order*, the Commission indicated its intent to issue an updated OET Bulletin 65 in the near future.³

¹ See Ameritech Mobile Communications, Inc. ("Ameritech"), Petition for Partial Reconsideration in ET Docket No. 93-62, filed January 23, 1997, at 1-4; Northeast Louisiana Telephone Co., Inc., Petition for Partial Reconsideration in ET Docket No. 93-62, filed January 23, 1997, at 1-4.

² *Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, Report and Order*, ET Docket No. 93-62, FCC 96-326 (released August 1, 1996).

³ *Id.* ¶ 114.

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On December 24, 1996, the Commission extended the RF emission compliance deadline to September 1, 1997, concluding in part that such an extension would "allow applicants to review the revised [OET] Bulletin 65 and to make the necessary measurements or calculations to determine that they are in compliance."⁴ The Commission at the time of the initial compliance deadline extension stated that "we intend to release a revised Bulletin 65 shortly after we address the other outstanding issues in this proceeding."⁵

To date, the Commission has not released the OET Bulletin 65. However, the review, evaluation and dissemination of the information which will be contained in OET Bulletin 65 remains essential to compliance with the Commission's RF emission guidelines. As the Commission is aware, many in the wireless industry have raised questions concerning the new RF emission rules and are awaiting the guidance to be provided in the updated OET Bulletin for purposes of evaluating their compliance activities. For example, AirTouch has hundreds of cellular and paging transmitters throughout its extensive service area. Thus, AirTouch's site-by-site base station evaluation will necessarily be time-consuming once the OET Bulletin is released and reviewed by AirTouch personnel. For these reasons, AirTouch supports the Petitions for Partial Reconsideration filed by Ameritech and Northeast Louisiana Telephone Company which request that the Commission further extend the compliance deadline beyond the current September 1, 1997 date. The requested additional extension will help ensure orderly,

⁴ *Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, First Memorandum Opinion and Order*, ET Docket No. 93-62, FCC 96-487, ¶ 7 (released December 24, 1996).

⁵ *Id.* ¶ 5 n.10.

timely and complete compliance with the new RF guidelines without harming public safety.

Finally, should the Commission decline to adopt earlier proposals to extend the compliance deadline to one year from release of OET Bulletin 65, AirTouch submits that a period of 8 months following release of OET Bulletin 65 — *i.e.* roughly the same period between release of the *First Memorandum Opinion and Order* and the September 1, 1997 compliance deadline — is a reasonable means of accommodating the needs of wireless service providers to ensure compliance without unduly delaying implementation of the Commission's RF emission guidelines.⁶

For the foregoing reasons, AirTouch respectfully requests that the Commission grant Petitioners' requests to extend the RF emission compliance deadline.

Respectfully submitted,

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March 17, 1997

⁶ AirTouch also supports Ameritech's proposal that the Commission take a flexible approach with respect to granting waiver requests. *See* Ameritech Petition at 3-4.

CERTIFICATE OF SERVICE

I, Jo-Ann Grayton, do hereby certify that I have, on this 17th day of March, 1997, caused to be served by first class U.S. mail, postage prepaid, a copy of the foregoing Comments to the following:

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