Feb. 3, 1997 Dk. 93-62

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To the Handicapped Coordinator:

Enclosed is the Complaint, of which a faxed copy was delivered by hand to the F.C.C. this afternoon.

Sincerely,

Arthur Finstenberg

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List ABCDE

Arthur Firstenberg
Cellular Phone Taskforce
Post Office Box 100404
Vanderveer Station
Brooklyn, New York 11210
(718) 434-4499

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February 2, 1997

Handicapped Coordinator
Office of Managing Director
Federal Communications Commission
1919 M Street NW, Room 852
Washington, DC 20554

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COMPLAINT

To the Handicapped Coordinator:

Please accept this complaint of discrimination by the Federal Communications Commission on the basis of handicap.

On August 6, 1996 the Federal Communications Commission (FCC) adopted into effect its Report and Order in the Matter of Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, ET Docket No. 93-62. This action by the FCC discriminates against electrosensitive individuals, numbering at least 2% of the population of the United States. These individuals must, by medical necessity, avoid all exposure to artificial electromagnetic fields, and are harmed by microwaves at levels many orders of magnitude lower than those permitted by the Safety Guidelines adopted by the FCC on August 6, 1996. This will have the effect of depriving this large disabled population, which is represented as a class by the Cellular Phone Taskforce, of their health and in some cases of their lives, because the expected proliferation of microwave emitting sources throughout the country in the wake of the new Safety Guidelines will not leave the electrosensitive any areas of the United States where they will be able to avoid exposure to microwaves. The public streets, all public places, and their own homes will become inaccessible to them.

The electrosensitive are qualified individuals with handicaps as defined in 47 CFR Ch. 1, Sec. 1.1803. We are individuals with handicaps. Instead of benefiting from the improved communication networks allowed by this FCC action, this group of Americans will be, and already is, severely harmed.

47 CFR Ch. 1, Sec. 1.1830(a) states that"no qualified individual with handicaps shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the Commission."

47 CFR Ch. 1, Sec. 1.1830(b)(3) further states that "the Commission may not. . . utilize criteria or methods of administration the purpose or effect of which would subject qualified individuals with handicaps to discrimination on the basis of handicap.

The electrosensitive are discriminated against by the Commission's August 6 Report and Order, and its Final Rule, under the clauses cited above.

Enclosed are the following:

1. Petition for Reconsideration filed August 30, 1996 by the Cellular Phone Taskforce.

2. Reply to Comments of AT&T Wireless Services, Inc., filed October 15, 1996 by the Cellular Phone Taskforce. Page 9 of this reply is a relevant letter by Lucinda Grant of the Electrical Sensitivity Network.

3. Notice of Decision - Fully Favorable, dated April 17, 1996, establishing this writer as a qualified individual with handicap as recognized by the Social Security Administra tion. My electrosensitivity was acknowledged in the decision.

4. Letter from Dr. Kenneth Jaffe concerning this writer's electrosensitivity, dated Nov. 15, 1994.

5. Pages 33-37 of Microwaving Our Planet: The Environmental Impact of the Wireless Revolution, Arthur Firstenberg, New York: Cellular Phone Taskforce, 1996, on electrosensitivity, including extensive scientific and medical documentation. This book reviews the known and proven hazards of microwave radiation at levels as low as 2.6×10^{-12} milliwatts per square centimeter, twelve orders of magnitude lower than what the FCC permitted on August 6, 1996.

The members of the electrosensitive class represented by the Cellular Phone Taskforce live throughout the United States. We are aware of hundreds in New York City alone

who have been made ill or even forced to leave their homes and their city by the radiation from new transmitting antennas which are in compliance with the August 6, 1996 Safety Guidelines of the FCC.

Any further information will be gladly furnished upon request from the undersigned.

Sincerely,

Arthur Firstenberg

Arthur Firstenberg
Chairman, Cellular Phone Taskforce

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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

In the Matter of	)	
	)	
Guidelines for Evaluating the	)	ET Docket No. 93-62
	)	
Environmental Effects of	)	and FCC Report and Order
	)	
Radiofrequency Radiation	)	FCC 96-326

To: The Commission

PETITION FOR RECONSIDERATION

Regarding FCC Report and Order FCC 96-326

Adopted and Released August 1, 1996

Submitted by the Cellular Phone Taskforce
Post Office Box 100404
Vanderveer Station
Brooklyn, New York 11210

Arthur Firstenberg, Chairman

August 30, 1996

Original + 14 copies

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SUMMARY

The Cellular Phone Taskforce, having new information concerning the public health and safety and directly affecting the members of the Taskforce, respectfully requests that Final Rule FCC 96-326 regarding ET Docket 93-62, be modified accordingly.

A. Modifications needed in 47 CFR Part 1, Sec. 1.1307 (actions with significant environmental impact)

(1) To protect electrosensitive individuals, Sec. 1.1307 needs to be modified to require routine environmental evaluation of all transmitters, facilities, and operations that are less than 2000 feet from any residence, without exception, to determine compliance with the exposure limits in Sec. 1.1310.

(2) Sec. 1.1307 may need to be modified in light of a further definition of Specific Absorption Rate (SAR).

B. Modifications needed in 47 CFR Part 1, Sec. 1.1310 (Radio-frequency radiation exposure limits)

(1) To protect electrosensitive individuals, Sec. 1.1310, Table 1(B) needs to be modified to set Power Density limits at 10 μ W/cm^2 for all frequencies above 100 MHz.

(2) To prevent microwave hearing, Sec. 1.1310 needs amending to include a limit of 40 mW/cm^2 peak power for frequencies of 300 to 3000 MHz, or to establish other appropriate limits on pulse width and peak power in

consultation with bioelectrical experts.

(3) The safety standards in Section 1.1310 need to be adjusted to protect those with the greatest SAR for each frequency.

C. Redefinition of SAR

Specific Absorption Rate for each frequency needs to be defined for the full range of human sizes.

D. Moratorium

Until such time as a methodology is established to evaluate and limit cumulative exposure from multiple electromagnetic radiation emitting sources, a moratorium on new emitting sources needs to be established.

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Washington, DC 20554

In the Matter of	)	
	)	
Guidelines for Evaluating the	)	ET Docket No. 93-62
	)	
Environmental Effects of	)	and Report and Order
	)	
Radiofrequency Radiation	)	FCC 96-326

To: The Commission

PETITION FOR RECONSIDERATION

The Cellular Phone Taskforce hereby submits this Petition for Reconsideration of the Commission's Report and Order FCC 96-326 issued in the above docket, released August 1, 1996.

The Cellular Phone Taskforce has also subscribed to the Petition for Reconsideration which is being filed by the Ad-Hoc Association of Parties Concerned About the Federal Communications Commission's Radiofrequency Health and Safety Rules. In addition to the concerns being brought to the Commission by that Association, the Cellular Phone Taskforce brings the following additional information, concerning the public health and safety and directly affecting the members of the Cellular Phone Taskforce. Some of this information is only now becoming available. The Cellular Phone Taskforce respectfully requests that Final Rule FCC 96-326 regarding

ET Docket 93-62, be modified accordingly.

1a. <u>The existence of a population who are electrosensitive</u>

"Inescapable exposure to the electromagnetic fields in the vicinity of these cellular telephone transmitters may sensitize susceptible individuals in the normal population, thereby causing them to become electrosensitive.

". . . Electrosensitivity. . . is the condition of being hypersensitive to non-ionizing electromagnetic fields (EMF). The reactions may vary, depending on the frequency and other features of the electromagnetic fields encountered, but headache and nausea are fairly common symptoms. The complete set of symptoms suffered by some individuals may be disabling--even life-threatening--while others may suffer only a mild effect.

"The first nationwide survey of electrosensitive people in the United States should be released any day now. When these results become available, it should be possible to provide some quantitative data on this condition." (Marjorie Lundquist, Ph.D., C.I.H., Bioelectromagnetic Hygienist, August 9, 1996)[1]

It has been estimated that perhaps 2% of the population are susceptible to becoming electrosensitive.[2,3,4]

It is medically necessary for electrosensitive individuals to live remotely from all electromagnetic radiation emitters.[5]

The ANSI/IEEE Radiofrequency Protection Guides and the NCRP Exposure Criteria are based upon the premise that there

are no non-thermal health effects from radiofrequency radiation. In the case of the electrosensitive population, whose numbers are only now becoming apparent, this is not a valid assumption.

In addition, as already noted, a certain percentage of the normal population are susceptible to becoming electrosensitive, and will also suffer non-thermal health effects from low-level radiofrequency signals.

Therefore, Title 47 of the Code of Federal Regulations, Part 1, Section 1.1310, needs modification to protect electrosensitive and other susceptible individuals from non-thermal effects of radiofrequency radiation within their own homes, and in public places, especially in view of "the expected proliferation of these towers in the future" which was noted in paragraph 92 of the Report and Order. The towers which are expected to proliferate so much as to be inescapable will emit signals above 100 MHz in frequency. These are also the most biologically significant frequencies, corresponding to wavelengths equal to or smaller than the size of the human adult body. Accordingly, Table 1(B), "Limits for General Population/Uncontrolled Exposure", should be modified so that the permitted Power Density for all frequencies above 100 MHz is less than the threshold reported in the scientific and medical literature for non-thermal bioeffects. This threshold is generally $10 \mu W/cm^2$.[6,7,8]

In addition, Sec. 1.1307 needs to be modified to require routine environmental evaluation of all transmitters,

facilities, and operations that are less than 2000 feet from any residence, without exception, to determine compliance with the exposure limits in Section 1.1310. In arriving at a distance of 2000 feet (610 meters), the Cellular Phone Taskforce follows the lead of a Butler Township, Pennsylvania ordinance passed in 1993 to protect the health of all of its citizens, including the electrosensitive population. The drafters of that ordinance noted the following statement by Jo P. Vaughan, attorney for Aerojet General in Sacramento County, California on May 24, 1991:

"Transmitters in high gain antenna utilized for cellular telephone telephone towers produce, in the field of the antenna's major power lobe, electromagnetic interference in the order of 200 mV/m at a distance of 2000 feet from the tower. This is sufficient to interfere with the accurate operation of sensitive instruments utilized for precision measurement and data acquisition systems. Any manufacturing facility using accelerometers, computerized precision tooling, oscillographs, and signal measuring devices could be affected by such interference.

". . . Aerojet therefore suggests that the final ordinance include as a standard for cellular antenna to be affixed to any tower located within 2000 feet of a manufacturing facility the following: 'The field strength of any radio-frequency emitter shall not exceed 1 mV/m measured at 2000 feet as prescribed by IEEE Standard #291 - 1969 Standards Report on Measuring Strength in Radio Wave Propagation.'"

The Cellular Phone Taskforce follows the lead of Butler Township in using standards needed to protect sensitive electronic equipment as a basis for recommending safety standards necessary to protect electrosensitive individuals.[9]

1b. Petitioners are directly affected.

The members of this Petitioning Group, the Cellular Phone Taskforce, include electrosensitive individuals, their friends and relatives. Some are already unable to work because of the proliferation of electromagnetic radiation (EMR) emitting sources in the modern workplace. The Social Security Administration has recognized our electrosensitivity as a disability. Therefore the Public Accommodations Section of the Americans With Disabilities Act of 1990 applies to electrosensitive individuals.

2. Necessity for further defining Specific Absorption Rate (SAR)

Individuals of different sizes absorb EMR of a given frequency at different rates. For example, an adult head 0.3 meters in diameter will preferentially absorb a wavelength of 0.3 meters, or a frequency of 1000 MHz. A child's head half as large will preferentially absorb EMR of 2000 MHz. As the SAR for a given frequency will differ significantly for individuals of different sizes and ages, it needs to be calculated for the range of human sizes from newborns to adults. All safety standards in Section 1.1307 and Section 1.1310 need to be adjusted to protect those with the greatest SAR for each frequency.

3a. Microwave hearing

It is well established that human beings--even deaf human beings--can "hear" buzzes, hisses and clicks when exposed to radio frequency pulsed signals of 300 to 3000 MHz.[10,11,1] Perception depends on peak power and pulse width, not average power.[12] The peak power threshold for this effect is "somewhat less than 80 mW/cm^2."[12] but the average power threshold is $2 \mu W/cm^2$.[11]

As the Final Rules establish no limits for peak power at these frequencies, and the average power limits are several orders of magnitude above the threshold for sound perception, there is nothing in these rules to protect the public against this sort of chronic nuisance. All of the new antennas which are expected to proliferate will be generating pulsed signals. Therefore Section 1.1310 needs to be amended to include limits on peak power and pulse width which will prevent such a nuisance. The Cellular Phone Taskforce requests the Commission to establish such limits in consultation with appropriate bioelectric experts. In case suitable data on pulse widths are not available, the Cellular Phone Taskforce asks the Commission to modify Table 1(B) to include a limit of 40 mW/cm^2 peak power for frequencies of 300 to 3000 MHz.

3b. Petitioners are directly affected

The Cellular Phone Taskforce includes several members presently bothered by sounds caused by proximity

of radio frequency transmitters to their residences.

4. Cumulative mass impact

As noted in the Petition for Reconsideration of the Ad-Hoc Association of Parties Concerned About the Federal Communication Commission's Radiofrequency Health and Safety Rules, a person at a given location may be exposed to the cumulative EMR emissions of numerous transmitters. Irradiation from each transmitter may be within Commission exposure limits, but the combined exposure from all could well exceed those limits.

The Cellular Phone Taskforce notes that the true EMR exposure to any individual is the combined exposure from all transmitters, facilities, operations, and satellites listed in Section 1.1307 (b) (1) Table 1, broadcasting at all the frequencies listed in Section 1.1310 Table 1. The Cellular Phone Taskforce notes that no methodology has been presented in the Final Rules or in the Report and Order for evaluating either thermal or non-thermal cumulative effects to individuals from all the EMR emitters that actually impact them. Because of the expected proliferation of such transmitters, facilities, operations, and satellites in the near future, the discrepancy between the Guidelines issued August 1, 1996 and actual EMR exposure to the public will continue to grow larger.

Accordingly, until such time as such a methodology is established, a moratorium on new EMR emitting facilities,

transmitters, operations and satellites needs to be established in order to protect the public from an ever-growing cumulative exposure which the Final Rules as issued August 1, 1996 have set no limits on.

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Footnotes

1. Letter to Ralph Balzano, Commissioner, Dept. of Information Technology and Telecommunications, City of New York.

2. Morton, William E. "Redefinition of Abnormal Susceptibility to Environmental Chemicals", paper presented on 6 June 1995 at Second International Congress on Hazardous Waste: Impact on Human and Ecological Health, Atlanta, Georgia. This paper estimates up to 5% of the population are susceptible to chemical sensitivity and porphyria.

3. Survey by DePaul University MCS research team, reporting one-third of chemically sensitive individuals are electrosensitive.

4. Firstenberg, Arthur. "What Does Electromagnetic Sensitivity Have to do With Porphyria?--A biological detective story". Electrical Sensitivity News, Vol. 1, No. 2, March 1996, pp. 6-7.

5. "Electrical Hypersensitivity". An Information Sheet published by FEB, the Swedish Association for the Electrically and VDT Injured, Stockholm, Sweden.

6. Giarola, A.J. et al. "The Growth of Animals Under the Influence of Electric and Magnetic Fields". In Health Physics in the Healing Arts, Seventh Midyear Topical Symposium, Health Physics Society, San Juan, Puerto Rico, Dec. 11-14, 1972. Published March 1973. Pages 502-509.

7. Giarola, A.J. et al. "The Effect of a Continuous UHF Signal in Animal Growth". 1971 IEEE International Electromagnetic Compatibility Symposium Record, Philadelphia, Pa., July 13-15, 1971, pp. 150-153.

8. McRee, Donald I. "Review of Soviet/Eastern European Research on Health Aspects of Microwave Radiation". Bull. N.Y. Acad. Med., Vol. 55, No. 11, Dec. 1979, pp. 1133-1151.

9. Butler Township, Butler County, Pennsylvania, Ordinance #729 enacted Sept. 13, 1993. The ordinance requires cellular towers to be more than 2000 feet from the property line of the nearest residence.

10. Frey, Allan H. "Some Effects on Human Subjects of Ultrahigh-Frequency Radiation", American Journal of Medical Electronics, Vol. 2, 1963.

11. Justeson, Don R. "Behavioral and Psychological Effects of Microwave Radiation". Bull. N.Y. Acad. Med., Vol. 55, No. 11, Dec. 1979, pp. 1058-1078.

12. Frey, Allan H. and Messenger, Rodman, Jr. "Human Perception of Illumination with Pulsed Ultrahigh-Frequency Electromagnetic Energy". Science, Vol. 181, 27 July 1973, pp. 356-358.

WHEREFORE, the Cellular Phone Taskforce respectfully requests, for the foregoing reasons, that Final Rule FCC 96-326 regarding ET Docket 93-62, be modified as indicated in this Petition. Should the Commission require more information, please feel free to contact the undersigned.

Respectfully submitted,

Date Aug. 30, 1996 By Arthur Firstenberg

Arthur Firstenberg, Chairman
Cellular Phone Taskforce

Post Office Box 100404
Vanderveer Station
Brooklyn, New York 11210
(718) 434-4499

Original + 14 copies via Federal Express, Postage Paid to the Secretary of the Federal Communications Commission, 1919 M Street, NW, Room 222, Washington, DC 20554

Before the

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Washington, DC 20554

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

REPLY TO COMMENTS OF AT&T WIRELESS SERVICES, INC.

The Cellular Phone Taskforce submits this reply to the Comments on Petitions for Reconsideration of AT&T Wireless Services, Inc. ("AT&T"), dated October 8, 1996, in the above-captioned proceeding.

The Final Rules which became effective August 6, 1996 are designed to protect the public from any dangers which might otherwise arise from the current and expected proliferation of cellular and other radiofrequency transmitting devices, as well as serving as guidelines to carriers to safely provide their services.

The Cellular Phone Taskforce represents many electro-sensitive individuals and others for whom the establishment of adequate protective regulations is vital.

We disagree with several portions of the Comments of AT&T, as follows:

1. <u>Transmitter sites should be excluded from residential areas</u>.

The Petition for Reconsideration of the Cellular Phone Taskforce requested that the Commission modify Section

1.1307 to require routine environmental evaluation of all transmitters, facilities, and operations that are less than 2000 feet from any residence. This request was made in order to ensure compliance with the much more stringent exposure limitations that will be required in Section 1.1310 in order to protect electrosensitive individuals. Indeed, as was noted in the Petition of the Cellular Phone Taskforce, the information necessary to set standards which will protect the health of electrosensitive people is only now becoming available. Some relevant studies are still in progress.

For example, a series of epidemiological studies have been underway in Skrunda, Latvia since 1989 to determine the health effects of a nearby radar station which operates in the 156-162 MHz frequency range. This radar has operated since 1971, so there has been an opportunity to compare current conditions with those that existed before 1971. The radar will cease operation in 1998, therefore current studies will continue until after that date. The first reports were published this year. Levels of exposure in the study area are generally below 0.1 uW/cm^2 (microwatts per square centimeter), and at no homes in the area does the power density exceed 10 uW/cm^2.[1] The following biological effects have been found:

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[1] T. Kalnins et al., "Measurement of the intensity of electromagnetic radiation from the Skrunda radio location station, Latvia, The Science of the Total Environment 180 (1996): 51-56.

Motor function, reaction time, memory and attention are significantly impaired among school children who live in exposed areas as compared to those in unexposed areas. There are also up to 25% fewer boys in certain grades in the area exposed to the radar.[2]

Chromosome damage is found in cows living in the Skrunda radiation zone that is not found in nearby cows not exposed to the radar.[3]

Morphological and developmental abnormalities have been found in duckweed plants grown in the exposed area that are not found in plants grown in unexposed areas. They also have a shorter life span and impaired reproduction.[4]

Trees growing in pine forests in the exposed area have had decreased thickness of growth rings beginning after 1970, which coincided with the start of operation of the radar. Nearby unexposed trees have not been similarly affected.[5]

Study of pine needles and cones revealed accelerated resin production and premature aging of pine trees in the

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[2] A.A. Kolodynski and V.V. Kolodynska,"Motor and psychological functions of school children living in the area of the Skrunda Radio Location Station in Latvia", Ibid., 87-93.

[3] Z. Balode, "Assessment of radio-frequency electromagnetic radiation by the micronucleus test in Bovine peripheral erythrocytes", Ibid., 81-85.

[4] I. Magone, "The effect of electromagnetic radiation from the Skrunda Radio Location Station on Spirodela polyrhiza (L.) Schleiden cultures", Ibid., 75-80.

[5] V. Balodis et al., "Does the Skrunda Radio Location Station dimish the radial growth of pine trees?" Ibid., 57-64.

exposed area, even in locations where the exposure level is only 24 pW/cm^2 (picowatts per square centimeter), as compared with trees in nearby unexposed areas. Also, the germination of low exposure seeds was enhanced, while the germination of higher exposure seeds was severely impaired. "Similar growth stimulation in the early stages of development, and later promoted reproduction and senescence, were found to be effects of UV irradiation and the chemical retardant Ethephon."[6]

No studies of the Skrunda area have been published which fail to show adverse health or environmental effects of exposure to radiation from the radar. Indeed these effects have been found at such low levels of exposure (24×10^{-12} W/cm^2) that to prevent injury to sensitive individuals, the Commission's Final Rules should be amended to prohibit all emitters of radiofrequency signals in residential areas without exception, and to establish a buffer zone of 2000 feet from any property line, inside which no radiofrequency facility may be erected. Indeed communities all over the country have passed ordinances excluding radiofrequency transmitters from residential zones,[7] which may now be preempted by Section 1.1307(e), and by Section 704(a) of the Telecommunications Act of 1996. By prohibiting transmitters from residential zones on a national level, as the Cellular

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[6] T. Selga and M. Selga, "Response of Pinus sylvestris L. needles to electromagnetic fields. Cytological and ultrastructural aspects", Ibid., 65-73.

[7] Wall Street Journal, July 2, 1996, p. 1; Microwave News, Nov./Dec. 1995, p. 12 and May/June 1996, p. 9.

Phone Taskforce is now requesting, the Commission will accommodate the well-founded concerns of a majority of local governments and private citizens, thereby preventing an enormous amount of litigation which is already proving burdensome both to the court systems of this country and to AT&T and other carriers. Prohibiting transmitters from residential zones will also result in fewer Environmental Assessments being required, and therefore constitute less burdensome regulation for the carriers. Finally, such prohibition will more effectively protect the lives of the vulnerable electrosensitive population and others, in the light of these new epidemiological findings.

2. <u>The Commission should not restore a categorical exemption for all paging and cellular licensees</u>

AT&T states it agrees with the petition of Paging Network in this matter (AT&T Comments, p. 4). But by Paging Network's own admission (Paging Netowrk Petition, p. 3), the Commission has vastly underestimated the number of affected transmitters, as the new power limits are 3500 Watts ERP, vs. the old 1000 Watts ERP, for paging technology. Because compliance with emission limits is not so easily met as with lower power transmitters, therefore the categorical exemption for paging facilities has been justly removed.

The Cellular Phone Taskforce similarly opposes a categorical exclusion for cellular facilities that operate above 1000 Watts ERP.

The Taskforce also opposes AT&T's request to exempt the facilities it uses for data-only services, since these are expected to proliferate rapidly in the near future.

3. Power density and field strength limits at multi-transmitter sites should not be increased above one percent

In view of the current and expected proliferation of radiofrequency transmitters of all categories, a 10% trigger for area-wide compliance obligations would potentially leave a great many areas effectively excluded from regulation, contrary to the intent of the Telecommunications Act of 1996, which is to set standards for the safe operation of transmitting facilities and the protection of the public. If no facility in an area passed the 10% threshold, that area would not be brought into compliance. This is unlikely ever to happen with the existing 1% threshold, which should stand.

4. The January 1, 1997 compliance date should stand

A delay in implementation of the new regulations for an additional year would allow the proliferation of an unlimited number of facilities authorized under part 15, subparts E and H of part 22, part 90, and part 97 during that year. The Commission has correctly recognized that these types of facilities fall within the intent of the Telecommunications Act of 1996 as requiring environmental regulation due to the rapid expansion of these industries. Therefore the Cellular Phone Taskforce opposes delaying the implementation of regulations past January 1, 1997.

5. <u>AT&T's requests would prevent effective regulation</u>

Section 704(b) of the Telecommunications Act of 1996 required the Commission to make effective rules regarding the environmental effects of radiofrequency emissions. The categorical exemption of all paging and cellular facilities, the 10% trigger for area-wide compliance obligations, and the one year delay in implementation of the new regulations, all of which AT&T is requesting, would allow the unrestricted and unregulated proliferation of a great majority of new facilities in these rapidly expanding industries. This would not constitute "effective rules" and would be contrary to the intent of the Telecommunications Act. The failure to effectively regulate the environmental effects of radio-frequency emissions would very seriously impact vulnerable people such as the electrosensitive, who are represented in this matter by the Cellular Phone Taskforce. Attached hereto, in this regard, is a letter that was sent to the Commission by the Electrical Sensitivity Network, dated September 19, 1996, explaining the seriousness of this threat to the lives of the electrosensitive and the necessity of making rules that will protect the health of those who by medical necessity must avoid all exposure to electro-magnetic radiation.

In this same regard, Norbert Hankin of the Office of Radiation and Indoor Air, Environmental Protection Agency, has written (letter to David Fichtenberg, October 8, 1996):