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July 16, 1997

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Mr. William F. Caton
Acting Secretary
FEDERAL COMMUNICATIONS COMMISSION
Office of the Managing Director
Room 222
1919 M Street, NW
Washington, DC 20554

RE: COMMENTS TO **ET DOCKET NO. 97-94**

Dear Mr. Caton:

Please accept the enclosed Comments to the above referenced Notice of Proposed Rule Making. Uniden is pleased to offer the opinions contained herewith.

Included with this letter is the original and nine copies in accordance with the Commission's rules (Part 1.419). Additionally, a duplicate copy is provided so that we can receive a "stamped copy" in return. A stamped and self addressed envelope is also included.

Thank you for your consideration in this matter. Please direct any questions or comments to the undersigned.

Sincere regards,

James R. Haynes
Chief Engineer

encls:

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ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Parts 2, 15, 18, and Other	)	
Parts of the Commission's Rules to Simplify	)	ET Docket No. 97-94
and Streamline the Equipment Authorization	)	
Process for Radio Frequency Equipment	)	

COMMENTS OF UNIDEN AMERICA CORPORATION

INTRODUCTION

1. Uniden America Corporation (hereinafter "Uniden") has filed many applications for equipment authorization over the past decades. There have been many process refinements during the past several years and the system has basically been working well. However, Uniden agrees that the time has come to update the rules to "simplify and streamline" some of the procedures and processes that have become antiquated due to the advancements in available technology. Therefore, Uniden supports the Commission's efforts embodied in the referenced Notice of Proposed Rule Making ("NPRM").

2. The system has been working well, although Uniden believes that this is the result of the many dedicated professionals who currently process and review the equipment authorization applications. It is time for the procedures and tools to be upgraded so that

they can continue to provide the unbiased review that has become the unquestioned standard from our perspective.

DISCUSSION

3. One of the proposals in this NPRM calls for the elimination of the type acceptance procedure and incorporating the requirements into the certification approval. Uniden has a very limited comment with regard to this proposal, both in favor and in opposition. In the past, as a general rule, type acceptance was used for transmitters and certification was for receivers or non-transmitting radio equipment. More recently, type acceptance was limited to licensed transmitters, while certification has been expanded to include a larger variety of radio frequency devices, including low-power transmitters. With the evolution of more products that are less definable, Uniden supports the Commission's proposal to eliminate the type acceptance procedure by incorporating these requirements into the scope of certification.

4. Uniden agrees that the procedure called "notification" should be eliminated, altogether. Considering the Commission's comment that these devices have "rarely exhibited any compliance problems", we believe that no useful purpose exists for the continuation of this procedure. Consequently, devices currently under the scope of

notification should be placed under the requirements of the Declaration of Conformity ("DoC") or verification procedures.

5. Uniden does not have a strong opinion about the combining of the DoC and verification procedures. However, if the Commission concludes there is very little possibility, or concern, for interference emanating from these devices, we believe that "least is best" and the procedure with the lesser impact on the applicant and the Commission should be implemented.

6. With the various database services available to the interested parties, Uniden believes that the published Radio Equipment List ("REL") should be discontinued. It has been several years since we have actually used this reference, and do not know of any other party that benefited by this service. Most all of the current equipment status is available via the FCC's Public Access Link ("PAL") or several other "on-line" service providers. Uniden is glad to support the Commission's proposal with regard to the elimination of the published REL.

7. The fees that the Commission charges for processing equipment authorization applications are mandated in Part 1 of the Commission's rules (47 CFR). By explaining the various products within this section, Uniden does not believe that elimination of type acceptance will adversely affect the manner in which a "Payment Type Code" is assigned to these devices. In other words, the code that is put on the FCC Form 159 indicates how

much money must be collected. It is then up to the Commission to match this code to a specific product category. Therefore, Uniden agrees that the proposals mandated in paragraph 14 of the NPRM "will not affect the fees currently paid by the applicants for most equipment".

8. The time that the Commission allows for an applicant to supply a test sample is proposed to be reduced from 60 days to 14 days. For the most part, Uniden agrees with the rationale of this plan; however, we believe that in some cases, there may be circumstances in which the applicant may require more time. For instance, just because the "equipment is widely available on the U.S. market" as the NPRM mentions, this does not always mean that the same device is available from the production facilities or the storage warehouse of a Grantee. Applicants may not always have direct control of this situation. Therefore, we would propose that either a sample be submitted to the Commission within the 14 day period, or that a written statement describing the extenuating circumstances be offered within the same time frame. We would not argue that the maximum time limit could be reduced from the 60 day period to some shorter time period, however, we think that the 14 days being proposed would be too short in some cases.

9. There may be many other opportunities in simplifying the equipment authorization procedures. These may include the sorting of applications at the point of submission, currently the Mellon Bank in Pittsburgh, PA. In this way, the applications could be sent

directly to the FCC Laboratory in Columbia, MD, without the necessity of going to Washington, DC, and being forwarded from there. Another method might be to have the applications submitted directly to the FCC Laboratory with the appropriate fees being submitted to the Mellon Bank. The application process could not proceed beyond a predetermined stage until confirmation is received that all processing fees have been paid.

10. Uniden supports the Commission's proposal to relax the requirements from certification or notification to the DoC procedure as stated in paragraph 18a. of the NPRM. Further, Uniden has no objection to the other relaxation proposals detailed in section 18.

11. Uniden disagrees with the proposal described in paragraph 22 of the NPRM, that would allow a transition period of two years for applicants to file under the equipment authorization application procedure of their choosing. Since this application process has very little effect on product design or marketplace considerations, we believe that a rigorously enforced effective date soon after a Report and Order is issued is the best for all concerned. We strongly believe that a transition period exceeding 60 days is unnecessary and may be detrimental to the equipment authorization process. An example of this is the necessity to maintain a copy of the Part 15 rules that were written in the 1980's just to provide such information effective subsequent to the rule changes made at that time. These rule changes incorporated a transition period mandated in Part 15.37, which is still in effect. Another reason is that the reviewers and examiners must constantly consider the

procedural alternatives whenever a transition period is imposed. Therefore, unless convinced accordingly, Uniden will not support a transition period greater than 60 days. The only exception to this matter would be the conversion to the electronic filing format. This may require an even longer time for the technology to be deployed to all parties which are subject to these types of applications.

12. With the 21st century fast approaching, Uniden believes strongly that new electronic technologies must be used to eventually take the place of the archaic procedures currently being used in preparing today's FCC equipment authorization applications. We believe that paperless filings, which include electronic photography, is the preferred method for the future. Currently, Uniden has limited experience in the use technologies that would provide a total paperless application; however, we would support any proposal that is affordable, easy to use, and yet provides the Commission with reliable and accurate documentation and data with which to make appraisals without any sacrifice when compared to today's methods. In general, we fully support any responsible method of electronic filing of equipment authorization applications. We also believe that some mechanisms should remain "in place" to support those applicants who do not have the technology to prepare the electronic application filings. In this case, paper applications must continue to be accepted. However, as an incentive to file applications electronically, they could enjoy a quicker "speed of service", and perhaps a fee discount as compared to those applications filed with paper exhibits.

CONCLUSION

13. The equipment authorization procedure is not "broken", but as the Commission has hinted, it has become outdated and in need of some improvements. New procedures and tools would be a welcomed replacement to the current methods that applicants and the reviewing individuals must work with on a daily basis. The NPRM has stated that the adoption of the rule changes would save money within the Commission. Uniden also believes that time and money could also be saved by reducing the cost for testing and the preparation of the application data. Therefore, we see this as a "win win" for all parties. Uniden supports the proposals detailed in the NPRM with the exceptions noted about the 14 day sample request period and the transition period of two years..

Respectfully submitted,

(signed) July 16, 1997

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