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July 25, 1997

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Mail Stop Code 1170  
Washington, D.C. 20544

RE: Ex Parte Presentation  
ET Docket No. 93-62  
FCC Guidelines for Evaluating the Environmental Effects of RF Radiation

Dear Mr. Caton:

Pursuant to the requirements of Sections 1.1200 et seq. of the Commission's Rules, you are hereby notified on behalf of AT&T Wireless Services, Inc. that the attached handout was delivered today to Suzanne Toller of Commissioner Rachelle Chong's office.

Should there be any questions regarding this matter, please contact the undersigned.

Sincerely,

*Cathy Massey*  
Cathleen A. Massey

cc: Suzanne Toller

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**AT&T Wireless Services, Inc. – 7/08/97 Ex parte Presentation in ET Doc. 93-62** FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The FCC should clarify the applicability of the FCC RF Evaluation Guidelines issued on August 1, 1996 to transmitting facilities which were licensed prior to September 1, 1997, the effective date of the rules. This issue is addressed in paragraph 119 of the Report and Order, but further clarification appears necessary. As requested in its September 6, 1996 Petition for Reconsideration, AT&T Wireless Services, Inc. recommends the following clarification:

Licenses are expected to comply with the MPE limits and RF evaluation criteria in effect at the time that the transmitting facilities are licensed and authorized, and to continue to operate in compliance with those limits until an application for license renewal or modification requires Commission reauthorization of such transmitting facilities, at which time the MPE limits and RF evaluation criteria in effect at the time of such re-authorization shall apply.

This clarification is appropriate because, over time, the MPE limits and RF evaluation criteria contained in the Commission's rules have changed and will continue to change in response to new data or public policy decisions. The Commission notes in paragraph 4 of the Report and Order, that research and analysis relating to RF safety and health is ongoing, and that the Commission expects changes in recommended exposure limits will occur in the future as knowledge increases in the field. This clarification also is supported by the Commission's statement in paragraph 112 "that the new RF guidelines will apply to station applications filed after January 1, 1997" (emphasis added). The clarification will make clear that the Commission's adoption of new rules and evaluation criteria does not imply that the previous rules were inadequate to protect public health, worker safety or the environment. In fact, we expect most personal wireless antenna facilities to be unaffected by the change in MPE limits because of the low operating powers of such facilities.

Under the clarification proposed above, as licenses for transmitting facilities are modified or renewed, they will become subject to the RF radiation rules in effect at the time of such application and must certify compliance as part of the application process. This process provides for an orderly transition to the new rules without unduly impacting the operations of existing transmitting facilities that are an integral part of an operating communications infrastructure.