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KELLY & POVICH, P.C.

ATTORNEYS AT LAW

1101 30th Street, N.W., Suite 300, Washington, D.C. 20007

Writer's Direct Dial:
(202) 973-8102

Telephone: (202) 342-0460
Facsimile: (202) 342-0458

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Daniel B. Phythyon, Esq.
Acting Chief
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, N.W.
Washington, D.C. 20554

Re: Assignment of Public Safety and Emergency Medical Radio Service ("EMRS")
Channels in the 220-222 MHZ Band, Ex parte submission, PR Dkt 89-552, GN
Dkt 93-252/& PP Dkt 93-253

Dear Mr. Phythyon:

On behalf of INTEK Diversified Corp. ("INTEK") and pursuant to Section 1.1206 of the FCC's Rules, this letter will serve as a written ex parte submission concerning the assignment of public safety and EMRS licenses in the 220-222 MHZ band ("220 MHZ Band") in the above-referenced proceeding. For the reasons set forth herein, INTEK urges that the Commission make available for licensing promptly after the August 21, 1997 effective date of the Rules adopted in the *Third Report and Order*, FCC 97-57 (March 12, 1997) ("*Third R&O*") the 10 public safety channels (Channels 161-170) and the 5 EMRS channels (Channels 181-185) in the 220 MHZ Band.

INTEK is the parent company of Securicor Radiocom, Ltd. ("Securicor") and Midland USA, Inc. ("Midland") the developer and distributor, respectively, of highly spectrally-efficient linear modulation ("LM") systems which compete in the 220 MHz Band. Over two thousand channels of INTEK LM equipment are currently in successful commercial operation in the 220 MHz Band.

In the *Third R&O* (at para. 129), the FCC stated that it would issue a Public Notice announcing a date for the acceptance of applications on the public safety and EMRS channels after the August 21, 1997 effective date of the new rules. Since release of the *Third R&O*, Midland has received many inquiries (and some firm orders subject to licensing) concerning the availability of these channels. INTEK, accordingly, believes that there is substantial interest and "pent up" demand for the use of these channels by public safety and emergency medical eligibles. INTEK thus urges that the Commission expeditiously release its Public Notice establishing an application filing window on these frequencies.

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Prompt licensing on the public safety and EMRS channels will further the public interest by making available to both public safety and emergency medical organizations the benefits of the product offerings now available to commercial users in the 220 MHZ Band. These product offerings in the 220 MHZ Band, indeed, reflect the state-of-the-art in spectrally efficient wireless communications. Moreover, as reflected by the Final Report of the Public Safety Wireless Advisory Committee ("PSWAC"), additional communications capacity is needed by public safety organizations to further interoperability between agencies, among other reasons. The timely licensing of public safety and emergency medical organizations on their allocations in the 220 MHZ Band will serve to further the goals of PSWAC and the Commission. Finally, the expedited acceptance of public safety and EMRS applications in the 220 MHZ Band will foster the continued development of diverse product offerings in the 220 MHZ Band and will spur competition and innovation in the equipment markets.

For these reasons, INTEK urges that the FCC expeditiously issue its Public Notice announcing the availability of the public safety and EMRS channels in the 220 MHZ Band for licensing. Because interested parties effectively have had notice of the Commission's intentions in this respect since March 12, INTEK further urges that the Commission expedite the acceptance of applications and begin to accept such applications no later than 30 days from the date of the Public Notice.

Six copies of this letter are being provided to the Secretary's office in accordance with Section 1.1206 of the Rules. Should there be any questions on this matter, please contact this office.

Respectfully submitted,



Robert B. Kelly
Counsel to INTEK Diversified Corp.