

EX PARTE OR LATE FILED

LAW OFFICES

KELLER AND HECKMAN LLP

1001 G STREET, N.W.
SUITE 500 WEST
WASHINGTON, D.C. 20001
TELEPHONE (202) 434-4100
FACSIMILE (202) 434-4648

—
25 RUE BLANCHE
B-1060 BRUSSELS
TELEPHONE 32(2) 541 05 70
FACSIMILE 32(2) 541 05 80

WWW.KHLAW.COM

JOSEPH E. KELLER (1907-1994)
JEROME H. HECKMAN
WILLIAM H. BORGHESE, JR.
MALCOLM D. MACARTHUR
WAYNE V. BLACK
TERRENCE D. JONES
MARTIN W. BERCOVICI
JOHN S. ELDRÉD
RICHARD J. LEIGHTON
ALFRED S. REGMERY
DOUGLAS J. BEHR
RAYMOND A. KOWALSKI*
MICHAEL F. MORRONE
JOHN B. RICHARDS
JEAN SAVIGNY*
JOHN B. DUBECK
PETER L. DE LA CRUZ
MELVIN S. DROZEN
LAWRENCE P. HALPRIN
RALPH A. SIMMONS
RICHARD F. MANN

C. DOUGLAS JARRETT
SHEILA A. MILLAR
GEORGE G. NISKO
PATRICK J. HURD
JUDITH SAPP
DAVID G. SARVADI
CATHERINE R. NIELSEN
JEAN-PHILIPPE MONTFORT*
JUSTIN C. POWELL
GEORGE BRENT MICKUM, IV
ELLIOT BELILOS
COLETTE FERRIS-SHOTTON*
ARTHUR S. GARRETT III
ROBBIE S. PITT
ELIZABETH N. HARRISON
JOHN B. RODGERS
JOAN C. SYLVAIN*
MARTHA E. MARRAPESE
NICOLE B. DONATH

DEBORAH ROSEN WHITE
DAVID R. JOY
FREDERICK A. STEARNS
TODD A. HARRISON*
JOHN F. FOLEY
TONYE RUSSELL EPPS
THOMAS C. BERGER
RACHDA SEMAL*
JOHN DOBINSON*
JOHN F.C. LUEDKE
KOMAL J. HERSHBERG*
PAULA DEZA
JOHN B. O'LOUGHLIN, JR.
JENNIFER A. GOLDSTEIN*
DEVON W. HILL*
DANIEL QUINTART*
TASHIR J. LEE
AMY E. FORTENBERRY*
ANN M. BOECKMAN*

*NOT ADMITTED IN D.C.
*RESIDENT BRUSSELS

SCIENTIFIC STAFF
DANIEL S. DIXLER, Ph. D.
CHARLES V. BRADER, Ph. D.
ROBERT A. MATHEWS, Ph. D., D.A.B.T.
JOHN P. MODDERMAN, Ph. D.
(1944-1998)
HOLLY HUTMIRE FOLEY
JANETTE MOUK, Ph. D.
LESTER BORODINSKY, Ph. D.
THOMAS C. BROWN
MICHAEL T. FLOOD, Ph. D.
ANDREW P. JOVANOVIĆ, Ph. D.
ANNA GERGELY, Ph. D.*
STEFANIE M. CORBITT
JUSTIN J. FREDERICO, Ph. D.
RACHEL F. JOYNER
ELIZABETH A. NEGER
—
TELECOMMUNICATIONS
ENGINEER
RANDALL D. YOUNG
—
WRITER'S DIRECT ACCESS

March 24, 1999

RECEIVED

MAR 24 1999

(202) 434-4130
black@khlaw.com

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
The Portals TW-A325
445 12th Street, S.W.
Washington, D.C. 20554

VIA HAND DELIVERY

Re: PR Docket No. 92-235; PR Docket No. 93-144;
ET Docket No. 95-18; WT Docket No. 95-157;
WT Docket No. 97-81; IB Docket No. 98-172;
RM-9267; RM-9405
Ex Parte Meeting

Dear Madam Secretary:

The purpose of this letter is to provide notice that on March 23, 1999, Bill Carter of the Colorado Interstate Gas Company (chairman of the Microwave/Satellite Committee of the American Petroleum Institute ("API")), Lee Gaspard of the Shell Oil Company (chairman of API's Radio Committee) and Wayne V. Black and Nicole Donath of Keller and Heckman LLP (telecommunications counsel for API) met with Thomas Sugrue, D'wana Terry and Herb Zeiler of the Wireless Telecommunications Bureau.

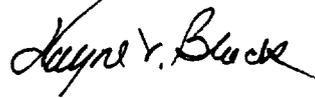
The meeting entailed a general description of the manner in which the oil and natural gas industries use private radio systems, followed by a discussion of pending rule making proceedings and other matters that are of concern to API members. A more detailed summary of the topics of discussion is set forth in the enclosed outline.

Ms. Magalie R. Salas
March 24, 1999
Page 2

KELLER AND HECKMAN LLP

In accordance with Section 1.1206 of the Commission's rules, an original and fifteen copies of this letter have been submitted to the Secretary's office. Should the Commission require further information, it is respectfully requested to contact the undersigned.

Very truly yours,



Wayne V. Black

Enclosure

cc: Thomas Sugrue, Chief, Wireless Telecommunications Bureau
D'wana Terry, Chief, Public Safety & Private Wireless Division,
Wireless Telecommunications Bureau
Herb Zeiler, Deputy Chief (Technical), Public Safety & Private Wireless Division,
Wireless Telecommunications Bureau

PRIVATE LAND MOBILE RADIO

- ***Used by the oil and natural gas industries to:***
 - support all aspects of operations, including exploration and production, pipeline transmission, processing, refining and delivery to customers
 - provide two-way mobile communications in normal areas of operation, as well as particularly challenging work environments
 - e.g., offshore drilling rigs and production platforms, onshore remote fields, including those in difficult terrain, storage tank farms, below-ground facilities, and refineries
- ***Key Issues:***
 - Resolve outstanding matters in proceeding to “**Refarm**” the bands below 800 MHz (PR Docket No. 92-235), including:
 - **LMCC UHF low power transition plan**, pending since June 1997: many API members rely on low power channels to support production and refinery operations
 - API/UTC/AAR request for creation of “**Public Service**” pool (RM-9405), filed in August 1998:
 - seeks designation of additional channels for exclusive coordination and use by critical infrastructure industries
 - would establish “protected service contours” around the existing systems of such entities to avert harmful interference
 - Related request for “**limited licensing freeze**” on channels previously allocated for shared use by Power and/or Petroleum Radio Services (pending since July 1998)
 - **LMCC Petition for new spectrum allocation** in the Private Mobile Radio Services (RM-9267) -- comment period closed in July 1998
 - would enable API members to implement advanced technologies and applications, such as mobile data and slow-scan video systems
 - commercial radio systems cannot satisfy all of the needs of the oil and gas industries and other users of private mobile radio systems
 - **800 MHz** proceeding (PR Docket No. 93-144): resolve outstanding rule making and auction issues

FIXED MICROWAVE SERVICE

- ***Examples of uses by the oil and natural gas industries:***
 - communications between remote oil and gas exploration and production sites and management/supervisory personnel at distant offices
 - communications with refineries
 - extensions of circuits to remote pipeline pump and compressor stations
 - supervisory control and data acquisition (SCADA) systems: remotely monitor and control wells and pipelines

 - ***Key issues:***
 - Secure additional private spectrum for **Multiple Address Systems (MAS)**:
WT Docket No. 97-81
 - proceeding to allocate 932/941 MHz band was initiated in 1982; spectrum still not available for licensing
 - release "**takeback**" list for 928/952 MHz MAS channels
 - Ensure smooth transition of **2.1 GHz band** from Fixed Service to MSS
(ET Docket No. 95-18)
 - requires WTB interaction and coordination with OET and IB
 - Resolve **pending Petitions for Reconsideration** in "Microwave Relocation Cost-Sharing" proceeding (WT Docket No. 95-157)
 - API's July 1996 Petition: deals with various relocation issues, including "sunset" date, definition of "comparable facilities" and reimbursement for transaction and transition expenses
 - API's April 1997 Petition: addresses certain aspects of the rules governing the self-relocation of incumbent microwave systems
 - Promote policies to protect terrestrial users in **18 GHz band** in light of proposed redesignation for satellite services (IB Docket No. 98-172)
 - requires WTB involvement with IB
-