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September 17, 1999

RECEIVED

SEP 17 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

HAND DELIVERED

Ms. Magalie Salas, Secretary
Federal Communications Commission
445 12th Street SW, Room TW-B204
Washington DC 20554

Re: ET Docket 99-255
Amendments of Part 2 and 95 of the Commission's Rules
to Create a Wireless medical Telemetry Service

Dear Ms. Salas:

Yesterday, a messenger from this firm attempted to file the original plus nine copies of Comments of Symbol Technologies, Inc. in the above-referenced proceeding.

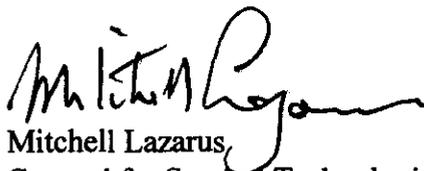
As best we can reconstruct it, the clerk at the window accepted the nine copies, but inadvertently returned the original along with the date-stamped copy.

I herewith return the original to the Commission for filing in the docket. Also included, for your reference, is a copy of the date-stamp that shows a timely filing yesterday.

Kindly date-stamp and return the extra copy of this letter.

If there are any questions about this submission, please call me at the number above.

Respectfully submitted,


Mitchell Lazarus
Counsel for Symbol Technologies, Inc.

ML:deb

cc: Ray Martino, Symbol Technologies, Inc.

No. of Copies rec'd 0+1
List ABCDE

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Ms. Magalie Salas, Secretary
Federal Communications Commission
445 12th Street SW
Room TW-B204
Washington DC 20554

**Re: ET Docket 99-255
Amendments of Part 2 and 95 of the Commission's Rules
to Create a Wireless medical Telemetry Service**

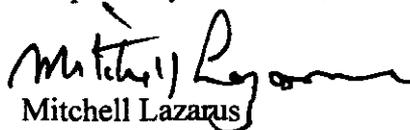
Dear Ms. Salas:

Enclosed for filing with the Commission in the above-referenced proceeding are the original and nine copies of Comments of Symbol Technologies, Inc.

Please date stamp and return the enclosed extra copy of the Comments.

If further information is necessary, please call me at the number above.

Respectfully submitted,


Mitchell Lazarus

Counsel for Symbol Technologies, Inc.

ML:deb

Enclosures

cc: Ray Martino, Symbol Technologies, Inc.
Service List

C O M M I S S I O N A L

Before the
Federal Communications Commission
Washington DC 20554

RECEIVED
SEP 17 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Parts 2 and 95 of)
the Commission's Rules to Create a) ET Docket No. 99-255
Wireless Medical Telemetry Service)
)

COMMENTS OF SYMBOL TECHNOLOGIES, INC.

Symbol Technologies, Inc. (Symbol) submits these comments in the above-captioned proceeding.¹ Symbol's sole purpose in filing these Comments is to request clarification of a brief passage in the Notice.

THE COMMISSION SHOULD CLARIFY THAT PART 15 MEDICAL TELEMETRY WILL CONTINUE TO BE PERMITTED IN THE ISM BANDS UNDER SECTIONS 15.247 AND 15.249 OF THE COMMISSION'S RULES.

Some medical telemetry equipment currently operates under Part 15 on TV channels that are now, or soon will be, used for digital television (DTV), and under Part 90 on a secondary basis on certain Private Land Mobile Radio (PLMR) frequencies.² In order to resolve growing interference to this equipment, the Notice proposes to establish a new Wireless Medical Telemetry Service (WMTS) that would have primary use of bands allocated for that purpose.

Paragraph 41 of the Notice states:

¹ Amendment of Parts 2 and 95 of the Commission's Rules to Create a Wireless Medical Telemetry Service, ET Docket No. 99-255, Notice of Proposed Rule Making, FCC 99-182 (released July 16, 1999) (Notice).

² Notice at ¶ 3.

In order to encourage users to migrate out of the DTV and PLMR bands as quickly as possible, we propose that, beginning two years from the effective date of the final rules in this proceeding, *all medical telemetry equipment authorized must operate in the new frequency bands.*³

Symbol (along with other companies) manufactures equipment that provides medical telemetry using spread spectrum modulation in the ISM bands at 902-928, 2400-2483.5, and 5725-5850 MHz.⁴ These devices provide extremely reliable communications at low cost. In many cases the medical telemetry function is integrated into systems that track other aspects of patient care, such as delivery of patient record and prescription information to physicians and nurses at the bedside, and maintenance of accurate inventories of medications, equipment, and supplies.

Although Symbol does not believe the Commission intends to outlaw medical telemetry in the ISM bands, implementation of the italicized language above may inadvertently produce that result. **Symbol therefore asks the Commission to clarify that medical telemetry will continue to be permitted in the ISM bands.**

Respectfully submitted,



Mitchell Lazarus
FLETCHER, HEALD & HILDRETH, P.L.C.
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Arlington, VA 22209
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September 16, 1999

Counsel for Symbol Technologies, Inc.

³ Notice at ¶ 41 (emphasis added).

⁴ 47 C.F.R. § 15.247. It may also be feasible to provide medical telemetry in these bands using non-spread-spectrum technology under Section 15.249.

CERTIFICATE OF SERVICE

I, Deborah N. Lunt, a secretary for the law firm of Fletcher, Heald & Hildreth, P.L.C., hereby certify that a true copy of the foregoing "Reply Comments of the Fixed Wireless Communications Coalition" was hand delivered this 16th day of September, 1999, to the following:

Chairman William E. Kennard
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Commissioner Harold Furchtgott-Roth
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Commissioner Michael Powell
Federal Communications Commission
445 12th Street, S.W.
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Commissioner Susan Ness
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Commissioner Gloria Tristani
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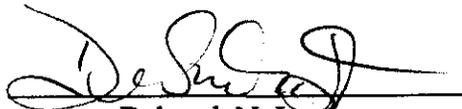
Dale Hatfield, Bureau Chief
Office of Engineering and Technology
Federal Communications Commission
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Julius Knapp, Chief
Policy & Rules Division
Federal Communications Commission
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Deborah N. Lunt