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

In the Matter of	)	
	)	
1998 Biennial Regulatory Review --	)	**WT Docket No. 98-182**
47 C.F.R Part 90 -	)	**RM-9222**
Private Land Mobile Radio Services	)	

ORAL EXPARTE PRESENTATION
IN RESPONSE TO
PETITIONS FOR RECONSIDERATION

Submitted by:

Dr. Michael C. Trahos, D.O., NCE, CET
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Date: February 5, 2001

I. INTRODUCTION

1. Before the Federal Communications Commission (Commission) are Petitions for Reconsideration, filed by Motorola, Inc. (**MOTOROLA PETITION**)[1] and the Personal Radio Steering Group, Inc. (**PRSG PETITION**)[2], in response to the Report & Order (**MURS ORDER**)[3] in WT Docket No. 98-182 which created the new Multi-Use Radio Service (**MURS**).

3. In response to the **MOTOROLA PETITION** and **PRSG PETITION**, this Commenter filed timely comments on January 2, 2001.[4] In response to reply comments filed by Motorola[5] and PRSG[6], this Commenter engaged in an Oral ExParte Presentation (**ORAL EXPARTE)** with Commission staff from the Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau on February 2, 2001. Those Commission staff members were as follows:

- Mr. Peter D Aronco - Deputy Chief, Policy and Rules Branch
- Mr. Guy N. Benson - Attorney-Advisor, Policy and Rules Branch
- Mr. John Evanoff - Attorney-Advisor, Policy and Rules Branch

4. Pursuant to 47 CFR 1.1206(b)(2), this Commenter hereby timely submits this written summation of this **ORAL EXPARTE**.

II. ORAL EXPARTE PRESENTATION

5. During the **ORAL EXPARTE**, this Commenter focused on the issue of permitting low-power repeaters in the newly created **MURS**. This Commenter reiterated and expounded on his comments of January 2, 2001, and in particular paragraphs 14 through 17 contained therein.[7]

6. Paragraph 14 focused on the issue that there exists no other unlicensed 47 CFR Part 95 radio service permitting unlicensed low-power repeaters. This Commenter reiterated to Commission staff this fact and that a practical end-user need, with examples, exists for unlicensed low-power **MURS** repeaters.

7. Paragraph 15 addressed the fact that prior to the transfer of the 151 MHz **MURS** frequencies from 47 CFR Part 90 to the new 47 CFR Part 95 **MURS**, these frequencies were permissively operated as base or fixed "land" stations. This Commenter reiterated to Commission staff this fact and that permitting these frequencies to be used as output frequencies for **MURS** repeaters was "nothing more than a natural extension of the existing permitted "land" station uses of these 151 MHz frequencies."[8]

8. Paragraph 16 cited the Commission's existing low-power repeater use rules under 47 CFR 90.267. Commenter reiterated to Commission staff that **MURS** repeaters should have output power and antenna height restrictions pursuant to 47 CFR 90.267(a)(3) & 47 CFR.267(a)(7) respectively, and that modulation emission should be restricted to only frequency analog voice modulation.

9. Paragraph 17 focused on which frequencies should be permitted as input and output for **MURS** repeaters. This Commenter reiterated to staff that the 154 MHz frequencies should only be permitted as input channels and the 151 MHz frequencies should only be permitted as output channels for **MURS** repeaters. It was further discussed that should the Commission not wish all the 154 MHz and 151 MHz frequencies be available for pairing in **MURS** repeaters, than this Commenter suggested that at the least one pair, namely 154.6000 MHz input and 151.9400 MHz output, be permitted and designated as the frequencies for use in **MURS** repeaters.

10. This Commenter lastly responded to any and all independent queries by Commission staff concerning **MURS** technical and administrative matters.

III. CONCLUSION

11. This Commenter wishes to thank the Commission's staff for having permitted the opportunity for this individual to engage in this **ORAL EXPARTE**. This Commenter closes with the reiteration that properly regulated, as discussed supra, **MURS** repeaters can co-exist with simplex operations, without harmful interference to existing operations, and provide a capability unmet by any other *unlicensed* 47 CFR Part 95 radio service. For the reasons set forth supra, retention of, and the permitted use of repeaters in, the new **MURS** is in the public interest.

Respectfully submitted,

|s| ***Michael C. Trahos, D.O., NCE, CET***

Dr. Michael C. Trahos, D.O., NCE, CET

MCT/mct

IV. CERTIFICATE OF SERVICE

I, Michael C. Trahos, do hereby certify that a copy of this **ORAL EXPARTE** were sent by first class, United States mail, to the parties listed below on the day and date first above written.

1. Motorola, Inc.
   Richard C. Barth, Ph.D. - Vice President and Director, Telecommunications Strategy
   Steve Sharkey - Director, Telecommunications Regulation
   1350 I Street, NW
   Washington, DC 20005

2. Personal Radio Steering Group, Inc.
   Corwin D. Moore, Jr. - Administrative Coordinator
   P.O. Box 2851
   Ann Arbor, MI 48106

Respectfully,

|s| ***Michael C. Trahos, D.O., NCE, CET***

Dr. Michael C. Trahos, D.O., NCE, CET

V. ENDNOTES

[1] **PETITION FOR RECONSIDERATION**, WT Docket No. 98-182, RM-9222, & PR Docket No. 92-235, Motorola, Inc., November 13, 2000.

[2] **PETITION FOR RECONSIDERATION**, WT Docket No. 98-182, RM-9222, & PR Docket No. 92-235, Personal Radio Steering Group, Inc., November 13, 2000.

[3] **REPORT AND ORDER AND FURTHER NOTICE OF PROPOSED RULE MAKING**, WT Docket No. 98-182, RM-9222, & PR Docket No. 92-235, FCC 00-235, June 28, 2000.

[4] **COMMENTS IN OPPOSITION TO PETITIONS FOR RECONSIDERATION**, WT Docket No. 98-182, RM-9222, & PR Docket No. 92-235, Dr. Michael C. Trahos, D.O., January 2, 2001.

[5] **REPLY**, WT Docket No. 98-182, RM-9222, & PR Docket No. 92-235, Motorola, Inc., January 16, 2000.

[6] **REPLY TO OPPOSITIONS TO A PETITION FOR RECONSIDERATION**, WT Docket No. 98-182, RM-9222, & PR Docket No. 92-235, Personal Radio Steering Group, Inc., January 16, 2000.

[7] **Ibid**., Footnote 4, at Paragraphs 14 – 17.

[8] **Ibid**, Paragraph 15.