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November 2, 2001

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W., Room A325
Washington, D.C. 20554

Re: *Ex Parte Presentation,
American Hospital Association Task Force
on Medical Telemetry,
ET Docket No. 00-221*

Dear Ms. Salas:

This letter serves as notification that on November 1, 2001, the following representatives of the American Hospital Association Task Force on Medical Telemetry ("AHA Task Force"), Mary Beth Savary Taylor, Director, Executive Branch Relations, American Hospital Association; Caroline A. Campbell, Director of Biomedical Engineering at the Washington Hospital Center; and Larry Movshin and Tim Cooney of Wilkinson Barker Knauer, LLP, in separate meetings met with Commissioner Kathleen Q. Abernathy and her Senior Legal Advisor Bryan Tramont and with Commissioner Kevin J. Martin and Robert Swanson of his staff.

The AHA Task Force representatives urged the Commission to reaffirm the allocation of 3 MHz (or its equivalent) of spectrum in the 1427-1432 MHz band to the Wireless Medical Telemetry Service, preferably at the lower end of the band with utility telemetry as its neighbor at the upper end of the band, as discussed in the one-page attachment. Additionally, we distributed the attached draft of what the Table of Allocations and footnotes under Part 2 of the Commission's Rules would like if the Commission (as the AHA Task Force proposes the Commission should do) adopts the AHA-Itron band allocation plan, including the proposed geographic band shift to protect incumbent utility telemetry operations, into the Commission's rules.

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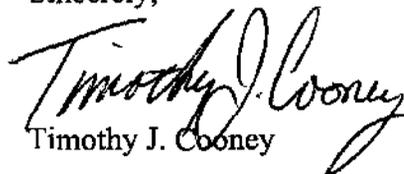
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Please contact the undersigned if you have any questions.

Sincerely,



Timothy J. Cooney

cc: Commissioner Kathleen Q. Abernathy (w/encl.) (via e-mail and fax)
Commissioner Kevin J. Martin (w/encl.) (via e-mail and fax)
Bryan Tramont (w/encl.) (via e-mail and fax)
Robert Swanson (w/encl.) (via fax)

**AMERICAN HOSPITAL ASSOCIATION
TASK FORCE ON MEDICAL TELEMETRY ("AHA")
EX PARTE PRESENTATION IN ET DOCKET NO. 00-221
NOVEMBER 1, 2001**

- The FCC created the Wireless Medical Telemetry Service ("WMTS") in 2000 because of the demonstrated need to protect patient-critical medical telemetry devices from harmful interference. 3 MHz of the 14 MHz allocated to WMTS on a primary basis is at 1429-1432 MHz. The need for WMTS spectrum has not abated, and the FCC must now reaffirm the allocation of spectrum for WMTS in the 1427-1432 MHz band.
- The medical community (represented by AHA) and the utility telemetry ("UT") community (represented by Itron, Inc.) jointly developed an allocation plan for the 1427-1432 MHz band by which WMTS is generally the primary radio service in the 1427-1429.5 MHz band and UT is generally the primary radio service in the 1429.5-1432 MHz band. These two services would not share the same spectrum on a primary basis in any geographic area. Under this plan, WMTS will be able to satisfy its anticipated needs using 2.5 MHz of spectrum rather than the 3 MHz initially allocated, because the neighboring radio services (passive radioastronomy below 1427 MHz and UT above 1429.5 MHz) are designed in a manner that is more compatible with WMTS technical characteristics.
- In making the allocation decisions regarding the 1427-1432 MHz band in this docket, the FCC should focus on three key elements:
 - **Assure compatible neighbors for WMTS.** Having a compatible neighboring radio service like Utility Telemetry is **critical** to the WMTS's ability to reduce the amount of its primary allocation from 3 MHz to 2.5 MHz because (1) the two services anticipate compatible technical specifications that allow for efficient operation by each radio service in a smaller allocation and (2) relatively few UT systems are likely to be operating in a particular market, allowing for quick identification and resolution of any potential interference to a WMTS-equipped medical facility.
 - **Adopt All Key Elements of AHA-Itron Proposal.** The Commission must incorporate as much as possible of the band allocation plan developed by AHA-Itron into the FCC rules; in particular, since the parties have agreed to a "band-flip" to accommodate existing UT systems in the lower 2.5 MHz, it is essential that the rules expressly identify those few geographic areas in which the primary allocations in the 1427-1432 MHz band are "flipped" on a permanent basis. Without such a rule, WMTS operations may be effectively precluded in the 1.4 GHz band in several significant geographic areas or existing UT systems will have to migrate quickly out of the newly allocated WMTS spectrum. Neither situation would serve the public interest.
 - **Reconfirm Commitment to WMTS.** Since a separate proceeding is expected in which service rules for these services will be adopted, the FCC should reconfirm its commitment to protect WMTS licensees from harmful co-channel and adjacent channel operations when it proposes and adopts technical rules, such as power levels for UT or other neighboring radio services. Unless restrictions such as those included in the AHA-Itron proposal are adopted, WMTS cannot meet its anticipated requirements in less than 3 MHz of spectrum in the 1427-1432 MHz band.

**EX PARTE SUBMISSION
ET DOCKET NO. 00-221**

**PROPOSED TABLE OF ALLOCATIONS AND FOOTNOTES
TO IMPLEMENT BAND ALLOCATION PLAN FOR 1427-1432 MHz**

JOINTLY DEVELOPED BY

**AMERICAN HOSPITAL ASSOCIATION TASK FORCE ON
MEDICAL TELEMETRY AND ITRON, INC.**

November 1, 2001

1427-1432 MHz*					
International Table			United States Table		FCC Rules Part(s)
Region 1	Region 2	Region 3	Federal Government	Non-Federal Government	
1427-1429 SPACE OPERATION (Earth-to-space) FIXED MOBILE except aeronautical mobile S5.341			1427-1429 SPACE OPERATION (Earth-to-space) FIXED MOBILE except aeronautical mobile S5.341 G30	1427-1429 LAND MOBILE (LIMITED TO WMTS TELEMETRY AND TELECOMMAND) Fixed [and mobile] (limited to utility telemetry/telecommand) S5.341 US350	PERSONAL (WMTS) (95) Fixed Microwave (101)
1429-1452 FIXED MOBILE except aeronautical mobile S5.341 S5.342	1429-1452 FIXED MOBILE S5.343 S5.341		1429-1432 LAND MOBILE US350 S5.341 US352	1429-1429.5 LAND MOBILE (LIMITED TO WMTS TELEMETRY AND TELECOMMAND) Fixed [and mobile] (limited to utility telemetry/telecommand) S5.341 US350 1429.5-1432 FIXED [AND MOBILE] (LIMITED TO UTILITY TELEMETRY/TELECOMMAND) Land mobile (WMTS telemetry and telecommand) S5.341 US350 US352	PERSONAL (WMTS) (95) Fixed Microwave (101) FIXED MICROWAVE (101) Personal (95)

* KEY: PRIMARY SERVICE is typed in all caps; Secondary service is typed in initial caps; Revised Material is typed in bold.

US FOOTNOTES

US 350

In the bands 608-614 MHz and 1395-1400 MHz, the land mobile service is limited to medical telemetry and telecommand operations. In the band 1427-1432 MHz, operations are limited to medical telemetry and telecommand and to utility telemetry/telecommand operations. Except in the geographic areas listed below, medical telemetry and telecommand is the primary radio service in the band 1427-1429.5 MHz, and utility telemetry/telecommand is the primary radio service in the 1429.5-1432 MHz band. In the areas listed below, medical telemetry and telecommand is the primary radio service in the band 1429-1431.5 MHz, and utility telemetry/telecommand is the primary radio service in the bands 1427-1429 MHz and 1431.5-1432 MHz.

Market	Areas	Market	Areas
Pittsburgh, Pennsylvania	Westmoreland, Washington, Beaver, Allegheny, and Butler Counties	Austin and Georgetown, Texas	Williamson and Travis Counties
Greater Washington, D.C.	District of Columbia; Montgomery, Prince Georges, and Charles Counties, MD; Alexandria City, Falls Church City, Fairfax City, Arlington, Prince William, Fauquier, Loudon and Fairfax Counties, VA	Battle Creek, Michigan	Calhoun County

Market	Areas	Market	Areas
Greater Richmond and Norfolk, Virginia	Virginia Counties: Charles City, Chesterfield, Dinwiddie, Goochland, Hanover, Henrico, Isle of Wight, James City, New Kent, Powhatan, Prince George, Southhampton, Surrey, Sussex and York; Virginia Cities: Chesapeake, Colonial Heights, Franklin, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Poquoson, Portsmouth, Richmond, Suffolk, Virginia Beach, and Williamsburg	Detroit, Michigan	Oakland, Wayne, Washtenaw, Macomb and Livingston
		Spokane, Washington	Spokane County, WA Kootenai County, ID

In the 1427-1429.5 MHz band, medical telemetry and telecommand is primary and utility telemetry/telecommand is secondary, except that until February 1, 2006, medical telemetry and

telecommand must operate on a non-interference basis to existing channels of incumbent utility telemetry/telecommand operations listed below, which are primary through February 1, 2006.

Market	Areas
Baltimore, MD	<p>Base Station A located at 39.308731N-76.564498W, 139' above the ground, with 1 watt EIRP:</p> <p>Service area #1 is a one mile radius centered around 39.2934N-76.5756W;</p> <p>Service area #2 is a one mile radius centered around 39.3268N-76.5497W.</p> <p>Base Station B located at 39.336944N-76.733333W, 284' above the ground, with 1 watt EIRP:</p> <p>Service area #2 is a one mile radius centered around 39.2969N-76.7391W.</p>
Santa Ana, CA	<p>Base Station located at 33.706669N-117.789068W, 125' above the ground, with 1 watt EIRP:</p> <p>Service area is a one mile radius centered around 33.69187N-117.78234W.</p>
Long Island, NY	<p>Base Station located at 40.608778N-73.62433W, 150' above the ground, with 1 watt EIRP:</p> <p>Service area is a one mile radius centered around 40.60249N-73.76198W.</p>

US 352

In the band 1429-1432 MHz, Government operations, except for medical telemetry operations as described below, are on a non-interference basis to authorized non-Government operations and should not hinder the implementation of any non-Government operations. However, Government operations authorized as of March 22, 1995 at 14 sites identified below will be continued on a fully protected basis until January 1, 2004. Additionally, Government medical telemetry operations are subject to US 350.

Sites	Lat/Long	Radius (km)
Patuxent River, MD	38°17'N/076°25'W	70
NAS Oceana, VA	36°49'N/076°02'W	100
MCAS Cherry Point, NC	34°54'N/076°52'W	100
Beaufort MCAS, SC	32°26'N/080°40'W	160
NAS Cecil Field, FL	30°13'N/081°52'W	160
NAS Whidbey IS., WA	48°19'N/122°24'W	70
Yakima Firing Ctr AAF, WA	46°40'N/120°15'W	70
Mountain Home AFB, ID	43°01'N/115°50'W	160
NAS Fallon, NV	39°24'N/118°43'W	100
Nellis AFB, NV	36°14'N/115°02'W	100
NAS Lemoore, CA	36°18'N/119°47'W	120
Yuma MCAS, AZ	32°39'N/114°35'W	160
China Lake, CA	35°29'N/117°16'W	80
MCAS Twenty Nine Palms, CA	34°15'N/116°03'W	80