

KELLER AND HECKMAN LLP
SERVING BUSINESS THROUGH LAW AND SCIENCE®

1001 G STREET, N. W.
SUITE 500 WEST
WASHINGTON, D.C. 20001
TEL. 202.434.4100
FAX 202.434.4646
WWW.KHLAW.COM

WRITER'S DIRECT ACCESS

June 7, 2002

Jack Richards
(202) 434-4210
richards@khlaw.c

Via Hand Delivery

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Notice
ET Docket 01-278
RM-9375; /m-10051

Dear Ms. Dortch:

On Thursday, June 6, 2002, Tony Corrado, of our client, Phase IV Engineering, Inc. ("Phase IV"), and Randall Young, Telecommunications Engineer, of our firm, met with Karen Rackley, Technical Rules Branch Chief, John Reed, Technical Rules Senior Engineer, and Hugh van Tuyl, Technical Rules Senior Electronics Engineer, of the Office of Engineering and Technology, to discuss the Commission's proposal in the above-referenced proceeding that would modify Section 15.231 of the Commission's Rules.

Phase IV is developing a "short-distance" data monitoring system to be used primarily for inventory control and environmental monitoring of military ordinances for the U.S. Navy, U.S. Army and U.S. Air Force. Broader applications for the device include, for example, short distance monitoring of petroleum processes such as the environmental conditions of an oil or gas well. Phase IV seeks to use the frequency 433.92 MHz, since it is allocated globally for unlicensed devices, consistent with the design parameters of the device under development.

One of the topics discussed was the Commission's proposal to allow unlicensed, low power operation in the 425-435 MHz band. In the meeting, Mr. Corrado suggested that the entire band would not be needed for the product that Phase IV would like to produce and market. In fact, the two megahertz band 432-434 MHz would be more that sufficient. In that regard, as we discussed, should the Commission decide to allocate only that portion of the proposed band the potential for any interference (which Phase IV considers to be remote) to existing users in the band would be further significantly reduced.

Should you have any questions, or require additional information, please feel free to contact the undersigned.

Sincerely,



Jack Richards