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Congress of the United States
Washington, DC 20515

01-278

August 5, 2002

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: In the Matter of Review of Part 15 and Other Parts of the Commission's Rules; ET Docket
01-278

Dear Chairman Powell:

We are writing to express our extreme concern regarding the FCC's release of its Revision of Part 15 Rules governing the radar detector industry, released on July 19, 2002. We respectfully urge you to expedite the favorable review the Petition for Partial Reconsideration and the Motion to Stay (ET Docket No. 01-278) filed by the Radio Association Defending Airwave Rights, Inc. (RADAR) on Friday, July 26, 2002.

The rule, released last Friday, has completely blindsided the radar detector industry despite their good faith efforts since last February to voluntarily implement the FCC technical changes - well before the FCC itself acted on this issue. As a result, the retail markets have lapsed into confusion and concern, leaving the entire industry in serious jeopardy at a time this country can least afford it.

We are supportive of the FCC's technical approach to resolving interference concerns in the VSAT bands, and we understand the necessity of bringing the radar detector industry under federal regulation. However, the timeline mandated in the First Report and Order (a requirement to complete the manufacturing transition 30 days after publication and a marketing/retail transition 30 days thereafter) will devastate this industry. The ramifications of these rules on the industry are real and represent over \$44 million in total retail sales lost, \$39 million total industry loss in the fourth quarter, 687 jobs and over 21,000 retail outlets affected across the country.

No industry can possibly be expected to come under compliance so quickly, and no industry has ever been asked to, even by the Commission itself. By comparison, CB radios, alleged to cause interference, had 17 months for retail compliance and personal computers had over 14 months notice, with no cutoff for retail sales at all.

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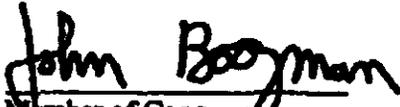
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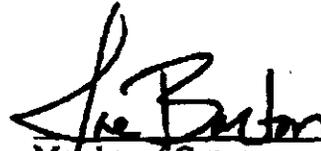
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As you know, the radar detector industry first undertook compliance on its own and is five full months ahead of the schedule it announced to the FCC just last February. For the FCC to now impose an unrealistic and unworkable schedule upon them amounts to a penalty against the industry for taking voluntary, affirmative steps to address the concerns. The FCC should reward this kind of behavior, not turn against it.

Again, we respectfully request you to expedite the favorable review of the Petition for Partial Reconsideration and the Motion to Stay filed by RADAR. We kindly request a written reply within 30 days. Thank you for your prompt attention to this matter and we look forward to your response.

Sincerely,


Member of Congress


Member of Congress


Member of Congress


Member of Congress


Member of Congress