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FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

BY HAND

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

Re: **ET Docket No. 03-92**
Notification of Ex Parte Presentation

Dear Ms. Dortch:

On September 23, 2003, the undersigned counsel to Biotronik, Inc. ("Biotronik") had a telephone conversation with Bruce Romano of the Office of Engineering and Technology ("OET"). The subject of discussion was the scope of Biotronik's pending request for waiver of the frequency monitoring requirements of the Medical Implant Communications (MICS) rules, filed on March 27, 2003.

During Biotronik's meeting with OET on September 11, 2003, the staff requested that Biotronik provide more specific information on its cardiac implant devices so that the scope of the waiver sought may be determined more precisely. The discussion with Mr. Romano, as summarized below, responds to OET's request for further information.

Specifically, Biotronik seeks a waiver to allow only cardiac implant devices, including the Philos DR-T pacemaker, the Belos VR-T and DR-T defibrillators, and similar cardiac implants, to use periodic messaging in the MICS band. All Biotronik cardiac implants subject to the waiver will conform to the following maximum operating parameters:

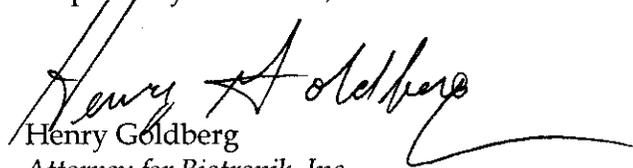
- (1) Occupying 40 kHz of bandwidth at 403.6 MHz (center frequency), which is only 1.33 percent of the available MICS frequencies.
- (2) Transmissions in bursts of up to 280 microseconds, for a cumulative duration not to exceed 3 seconds in a 24-hour period.
- (3) Output power not to exceed 100 nanowatts, which is only 1/250 of the 25 microwatt MICS limit.

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The undersigned also urged the grant of Biotronik's waiver request without further delay in light of the urgent medical need for Biotronik's implant devices and the lack of any realistic possibility of interference to other users of MICS frequencies.

Please direct questions concerning this matter to the undersigned.

Respectfully submitted,


Henry Goldberg
Attorney for Biotronik, Inc.

cc: Edward Thomas
Julius Knapp
Bruce Romano