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January 8, 2004

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VIA ELECTRONIC FILING

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
Washington, DC 20554

Re: *Ex parte* Notification – Biotronik Request for Waiver Of MICS Frequency Monitoring Requirements – ET Docket 03-92

Dear Ms. Dortch:

Medtronic is filing a copy of the letter it received from Steven Greenberg, M.D., of the Cardiac Arrhythmia and Pacemaker Center in New York, to ensure that it is included in the record of this proceeding.

Dr. Greenberg calls on the Commission to "recognize the need to share the MICS frequency band among numerous devices and to retain a high degree of reliability for critical applications."

Respectfully,

/s/John W. Kuzin

John W. Kuzin
Counsel for Medtronic

Att.

cc (via email): Mr. Sam Feder
Mr. Julius Knapp
Ms. Jennifer Manner
Mr. Paul Margie
Mr. Barry Ohlson
Mr. Bruce Romano
Mr. Ed Thomas
Ms. Sheryl J. Wilkerson

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December 13, 2003

Mr. Ed Thomas
Chief, Office of Engineering and Technology
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Biotronik, Inc., Home Monitoring System, ET Docket 03-92.

Dear Mr. Thomas:

I have been informed that the FCC is considering a request for waiver of the Medical Implant Communications Service (MICS) rules that would permit implanted devices to periodically transmit data without first checking whether other nearby devices are already communicating on the same frequency. This is quite inappropriate if this would permit interference with other devices that are transmitting critical medical information requiring immediate attention or if time critical data is being sent to change the device operation.

Today, active medical implants perform a number of critical therapeutic functions, and reliable communication with the implanted device is a key aspect of these systems. A physician's control of the implanted devices depends on reliable communication. For example, during a defibrillator implant procedure, a reliable communication scheme is critical if the operation of the implanted device must be modified to respond to an episode of ventricular fibrillation. For a medical communication scheme to be useable, it must be both reliable and timely.

I strongly believe that technology that permits the communication with impanted devices from a distance has the potential to significantly benefit both patients and health care providers. I also believe that if these systems are reliable, there will be a growing demand for implanted devices to have this capability. It is therefore prudent that the FCC recognize the need to share the MICS frequency band among numerous devices and to retain a high degree of reliability for critical applications.

I encourage the FCC to fully analyze the impact of changes to the MICS rules upon the reliability and ultimate usefulness for implanted medical devices.

Sincerely,

Steven Greenberg, M.D.