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April 7, 2004

FILED ELECTRONICALLY

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: RM-10821; Wireless Telecommunications Bureau Seeks Comment On
MariTEL, Inc. Petition for Declaratory Ruling and National Telecommunications
and Information Administration Petition for Rulemaking Regarding the Use of
Maritime VHF Channels 87B and 88B; NOTICE OF EX PARTE
PRESENTATION;**

**PR Docket No. 92-257; Amendment of the Commission's Rules Concerning
Maritime Communications; NOTICE OF EX PARTE PRESENTATION;**

**ET RM-10743; Commission's Rules to Promote the Use of VHF Public Coast
Station Frequencies; NOTICE OF EX PARTE PRESENTATION.**

Dear Ms. Dortch:

Pursuant to the provisions of Section 1.1206(b) of the rules and regulations of the Federal Communications Commission ("FCC"), this letter provides notice of a written *ex parte* communication from Dan Smith of MariTEL, Inc. ("MariTEL") to Tim Maguire of the Wireless Telecommunications Bureau.

In particular, Mr. Smith provided Mr. Maguire with the attached letter, in which MariTEL summarizes the recent actions taken by the International Telecommunications Union and the International Electrotechnical Commission concerning Automatic Identification System ("AIS") equipment.

Marlene H. Dortch

April 7, 2004

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Should there be any questions regarding this matter, please contact the undersigned directly.

Cordially yours,

/s/ Russell H. Fox

Russell H. Fox

Attachment

cc: Ambassador David A. Gross (via FedEx)
C.I. Pearson (via FedEx)
Frederick R. Wentland (via FedEx)
Kathy D. Smith (via FedEx)
Catherine Seidel (via e-mail)
D'wana Terry (via e-mail)
Scot Stone (via e-mail)
Jeffrey Tobias (via e-mail)
Tim Maguire (via e-mail)



April 6, 2004

By E-Mail

Mr. Tim Maguire
Wireless Telecommunications Bureau
445 12th Street, S.W.
Washington, D.C. 20554

Re: Recent Events Regarding International Automatic Identification System Standards

Dear Tim:

The purpose of this letter is to apprise you of recent events regarding International Telecommunication Union (ITU) and International Electrotechnical Commission (IEC) standards for Automatic Identification System ("AIS") equipment. As you know, AIS equipment, developed pursuant to ITU-R M.1371-1 and IEC standard 61993-2¹, is designed to operate on, and adjacent to, spectrum for which MariTEL is licensed². Because, as discussed more fully below, MariTEL asks that the United States participate in ITU and IEC activities consistent with the views expressed here, we are providing copies of this correspondence to the FCC's International Bureau and Ambassador Gross of the Department of State.

On March 10, 2004, the IEC initiated a new project to define the operational and performance specifications for two new AIS devices: the AIS base station (shore based unit) and Aids-TO-Navigation (ATON). This new project is in addition to 1) the IEC's development of standards for Class B shipborne uses, which is in progress, 2) work toward an IEC Maintenance

¹ Together, ITU-R M.1371-1 "Technical Characteristics for a Universal Shipborne Automatic Identification System Using Time Division Multiple Access in the VHF Maritime Mobile Band" and IEC 61993-2 "Class A Shipborne Equipment of the Universal Automatic Identification System (AIS) – Operational and Performance Requirements, Methods of Test and Required Test Results" define equipment specifications for the AIS Class A shipborne transmitters contemplated in the USCG's carriage requirements.

² ITU-R M.1371.1 devices are designed to operate - in the default mode - on channels 87B and 88B but are capable of switching to other channels in the maritime band - including to all channels between 1 and 88. Japan is utilizing this inherent ITU-R M.1371-1 capability to switch AIS to channels 79 and 81 in their territorial waters. ITU-R M.1371-1 devices also support simplex, duplex, wideband and narrowband modes of operations.

Cycle Request (MCR) for the Class A shipborne equipment specifications³, and 3) a significant update to ITU-R M.1371-1 to incorporate new AIS devices.⁴ The net result is that virtually every international standard for AIS will be created or modified in the next 6 to 12 months.

The FCC should be particularly interested in the IEC's work toward a 61993-2 MCR for the AIS Class A shipborne equipment. MariTEL has pointed out that this standard does not conform to historical United States type approval requirements for Part 80 equipment and that, as a result, use of equipment that relies on this test specification causes harmful interference to MariTEL's other licensed channels.⁵ It is precisely this and other issues with the current international IEC 61993-2 standard, which are significant enough that IEC has proposed a MCR for this specification. The FCC should plainly not continue to use this standard to approve domestic AIS devices, knowing that the standard, for the reasons MariTEL has explained, is about to be revised.

MariTEL's communication with the Commission over the past 12 months has consistently demonstrated that interference problems are associated with simplex use of AIS in general and have specifically noted the need to address problems with the current IEC 61993-2 test specification and resultant first generation AIS devices. As such, MariTEL considers the proposal for an IEC 61993-2 MCR an extremely positive development that should be aggressively pursued. While IEC has made significant progress proposing and defining a 61993-2 MCR, the timeline and relative priority for completing this work will be determined at the next IEC meeting scheduled for the week of June 7, 2004.

As the Commission is aware, MariTEL is a member of several International AIS committees and standards organizations with the goal of helping develop AIS technology that

³ IEC 61993-2 - Class A Shipborne Equipment of the Universal Automatic Identification System (AIS) – Operational and Performance Requirements, Methods of Test and Required Test Results.

⁴ New AIS device types include: Class B, base station, and ATONs.

⁵ The current 61993-2 specification is not stringent enough to insure that approved devices meet the proposed FCC's transmitter emission mask for AIS devices and further permits approved devices that do not comply with the ITU-R M.1371-1 specification. Testing by MariTEL and the Joint Spectrum Center ("JSC") of the Department of Defense has demonstrated this harmful interference.

minimizes the impact to MariTEL's licensed channels. MariTEL's success in these bodies has been mixed, partly because of the structure of the organizations and partly because United States representatives to these committees have not taken consistent positions on United States frequency policy and equipment issues. The result is often confusion over United States spectrum policy and priorities.

Because of the critical and time-sensitive nature of these developments, MariTEL requests that the FCC urge the IEC to make this issue an important priority and that the FCC take an active role in defining the 61993-2 MCR to insure compliance with US spectrum policy. Further, MariTEL requests that the FCC take an active role in the development of other international AIS standards to insure compliance with US spectrum policy if the FCC plans to utilize these international standards as a basis for domestic type acceptance. While recognizing the FCC's role in defining United States spectrum policy and equipment type acceptance criteria, MariTEL is happy to support any activities within international standards bodies that help the FCC prevent harmful interference to MariTEL's licensed spectrum.

We look forward to your feedback. If you have any questions related to this matter, please let me know.

Sincerely,



Dan Smith
President & CEO

cc: Ambassador David A. Gross (via FedEx)
Catherine Seidel (by e-mail)
D'wana Terry (by e-mail)
Kathryn O'Brien (by e-mail)
Scot Stone (by e-mail)
Jeffrey Tobias (by e-mail)