Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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04-344

In the Matter of	)	
	)	
Amendment of Parts 13 and 80 of the Commission's Rules Concerning Maritime Communications	)	**WT Docket No. 00-48**
	)	
Petition for Rule Making Filed by Globe Wireless, Inc.	)	**RM-9499**
	)	
Amendment of the Commission's Rules Concerning Maritime Communications	)	**PR Docket No. 92-257**

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APR 12 2005
Federal Communications Commission
Office of the Secretary

To: The Commission

AMENDMENT TO PETITION FOR RECONSIDERATION OF MARITEL, INC.

MariTEL, Inc., by its counsel, hereby submits the following amendment ("Amendment") to the petition for reconsideration ("Petition") of the Sixth Report and Order in the Docket No. 92-257 proceeding[1/] that it initially submitted on December 8, 2004. As explained below, the purpose of the Amendment is to correct data contained in Exhibit A of the Petition. In order for the record in this proceeding to be complete, MariTEL requests that the FCC consider the information presented in this Amendment.

The FCC referenced submission of the Petition in a public notice ("Public Notice") dated March 31, 2005.[2/] However, reference to the Public Notice has not yet appeared in the Federal Register, triggering the deadline for interested parties to submit Oppositions to the Petition.

1/ *Amendment of Parts 13 and 80 of the Commission's Rules Concerning Maritime Communications; Petition for Rule Making Filed by Globe Wireless, Inc.; Amendment of the Commission's Rules Concerning Maritime Communications, Second Report and Order, Sixth Report and Order, and Second Further Notice of Proposed Rulemaking,* 19 FCC Rcd 3120 (2004) (referred to respectively as "Second Report and Order," "Sixth Report and Order," and "Second FNPRM").

2/ *Petition for Reconsideration of Action in Rulemaking Proceeding, Public Notice,* Report No. 2700 (March 31, 2005).

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Moreover, MariTEL has served all of the parties that submitted comments and reply comments in response to the Fourth Further Notice of Proposed Rule Making ("Fourth Further Notice") in the Docket No. 92-257 proceeding, which led to the adoption of the Sixth Report and Order. Accordingly, all parties to this proceeding will have ample time to consider the new data presented in this Amendment in advance of the deadline for the submission of oppositions to the Petition. Therefore, the FCC is asked to accept this Amendment and include it as part of the Petition and the record in this proceeding.

In particular, as initially submitted, Exhibit A was intended to show two specific AIS devices that seemingly met the FCC certification process, but nonetheless substantially exceeded the FCC's adopted prescribed transmitter mask limits. It was also designed to demonstrate that the results of the certification process are completely unpredictable; the variation from the mask limits is not uniform across devices that pass the certification process. Accordingly, Exhibit A demonstrated that the FCC's certification process for AIS devices resulted in certification of devices which violate its own mask requirements.

Based on information it recently received, MariTEL revised Exhibit A and the amended Exhibit A is attached hereto. While the data presented is different from that originally presented, the conclusion is identical. The amended Exhibit A continues to demonstrate that the results of the certification process are completely unpredictable; the variation from the mask limits is not uniform across devices that pass the certification process; and that the FCC's certification process for AIS devices results in certification of devices which violate its own mask requirements. As MariTEL stated earlier, the two examples captured by Exhibit A are only a small sample of the problem caused by the certification process. It is reasonable to expect that many, if not most, of the certified AIS devices in the United States violate the FCC's emissions

mask. MariTEL therefore reiterates its request that the Commission review the rules that specify the AIS certification process, review the rules that contain the emission mask limits, and ensure that past and future certified equipment actually complies with those limits.

MariTEL, Inc. hereby submits the foregoing Amendment to its Petition for Reconsideration and asks that the FCC reverse its decision to permit the approval of AIS equipment based on international standards and take other such actions consistent with the views expressed herein and its Petition for Reconsideration .

Respectfully submitted,

MariTEL, Inc.

By: *Russell H. Fox*

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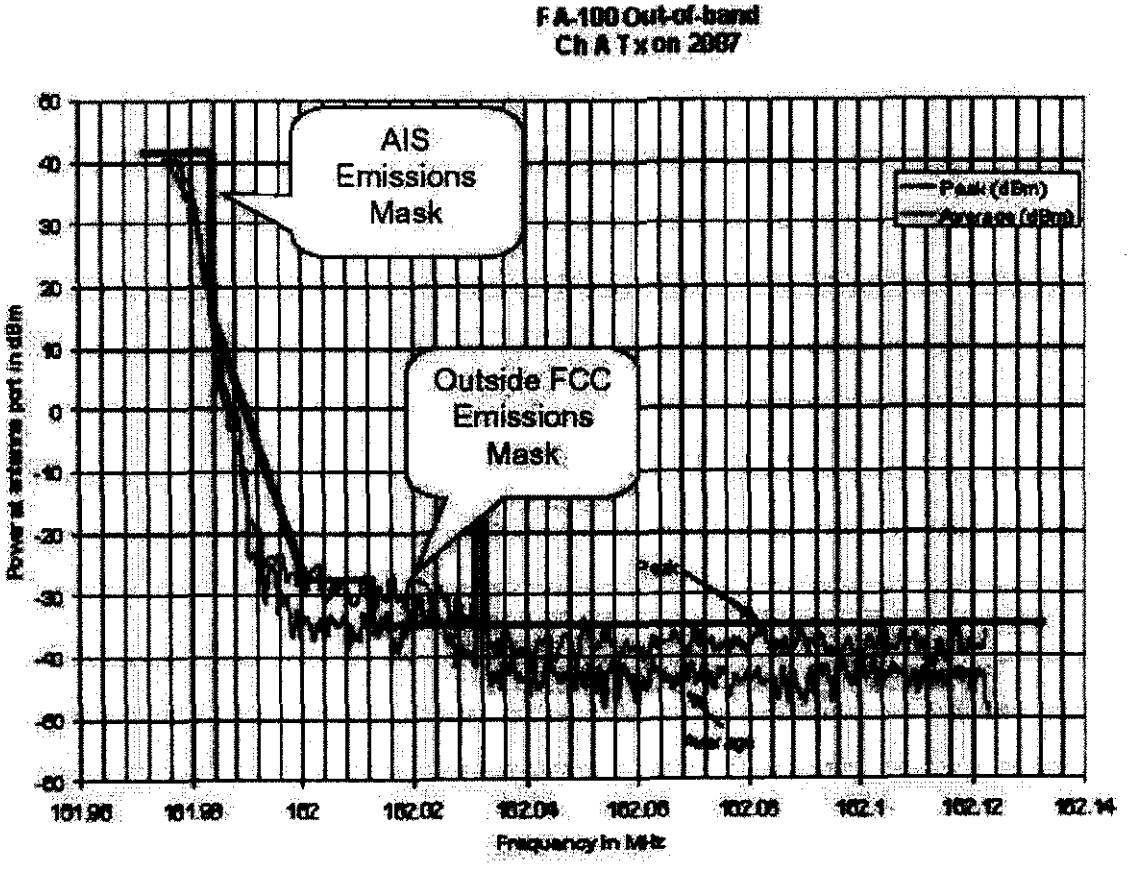
April 12, 2004

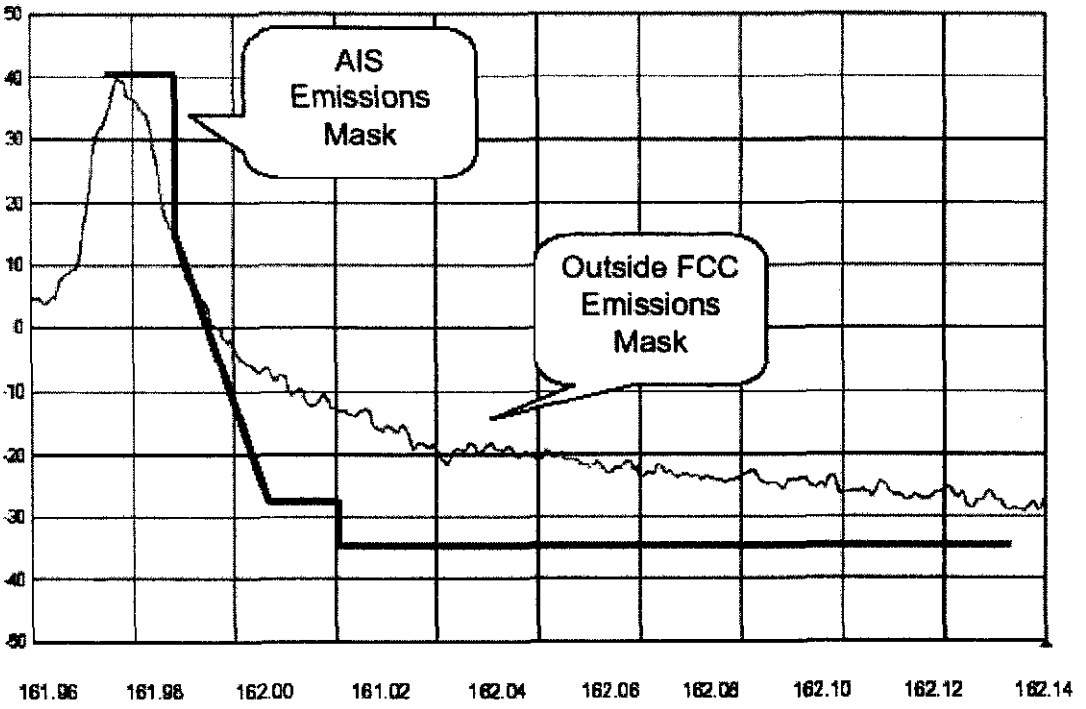
Exhibit A (Amended)

Comparison of TX Emissions vs. FCC AIS Emissions Mask

For two Type Accepted AIS Devices



AIMS M1V – Out-of-band
TX Channel 2087



CERTIFICATE OF SERVICE

I, Karen Smith, do hereby certify that on this 12th day of April, 2005, the foregoing Amendment was served on the following persons by the method indicated:

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* Electronically
** Via first-class United States mail, postage prepaid