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September 21, 2005

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

**Re: ET Docket No. 04-373**  
**SafeView, Inc., Request for Waiver of Sections 15.31 and 15.35 of the**  
**Commission's Rules**  
***Ex Parte Communication***

On behalf of SafeView, Inc., pursuant to Section 1.1206(b)(2) of the Commission's Rules, I am electronically filing this notice of an oral *ex parte* communication.

Yesterday, Michael Richards of this office and I met with Fred Campbell of Chairman Martin's office; Lee Petro and I met with John Branscome of Commissioner Abernathy's office; and Sima Chowdhury and I met with Barry Ohlson of Commissioner Adelstein's office.

At each meeting, we summarized the main elements of SafeView's pleadings in the docket. A copy of our presentation outline is attached.

Please do not hesitate to call with any questions.

Respectfully submitted,

Mitchell Lazarus  
Counsel for SafeView, Inc.

cc: Meeting participants

# **SafeView, Inc.**

## **Request for Waiver of Sections 15.31 and 15.35 of the Commission's Rules**

**ET Docket No. 04-373**

**September 20, 2005**

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## SafeView Units



**SafeScout™ 360 with Doors**



**SafeScout™ 100 w/o Doors**

# Identification of Potential Threat Objects

Optical Image

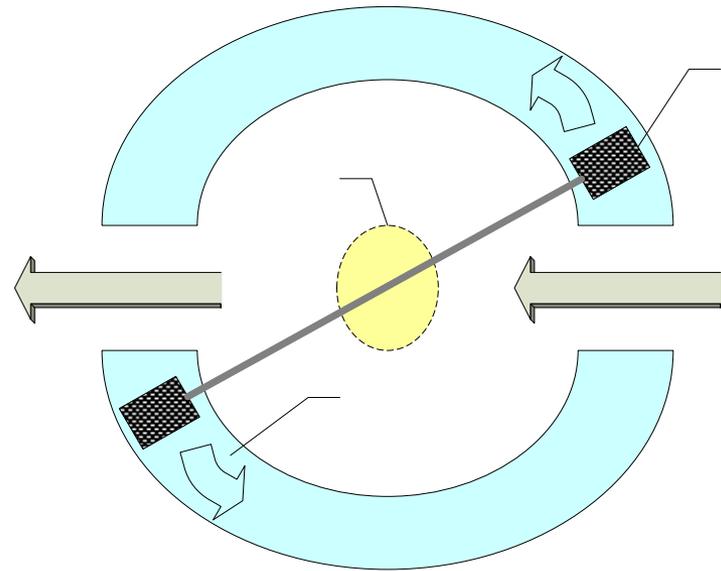


SafeView Image



# SafeView Operation

- ❑ Subject briefly stands in unit
  - scan takes less than 2 seconds
- ❑ Unit transmits radio waves and measures reflection
  - fast frequency sweep from 24.25 to 30 GHz
- ❑ Calculate image
  - uses object detection and privacy algorithms.

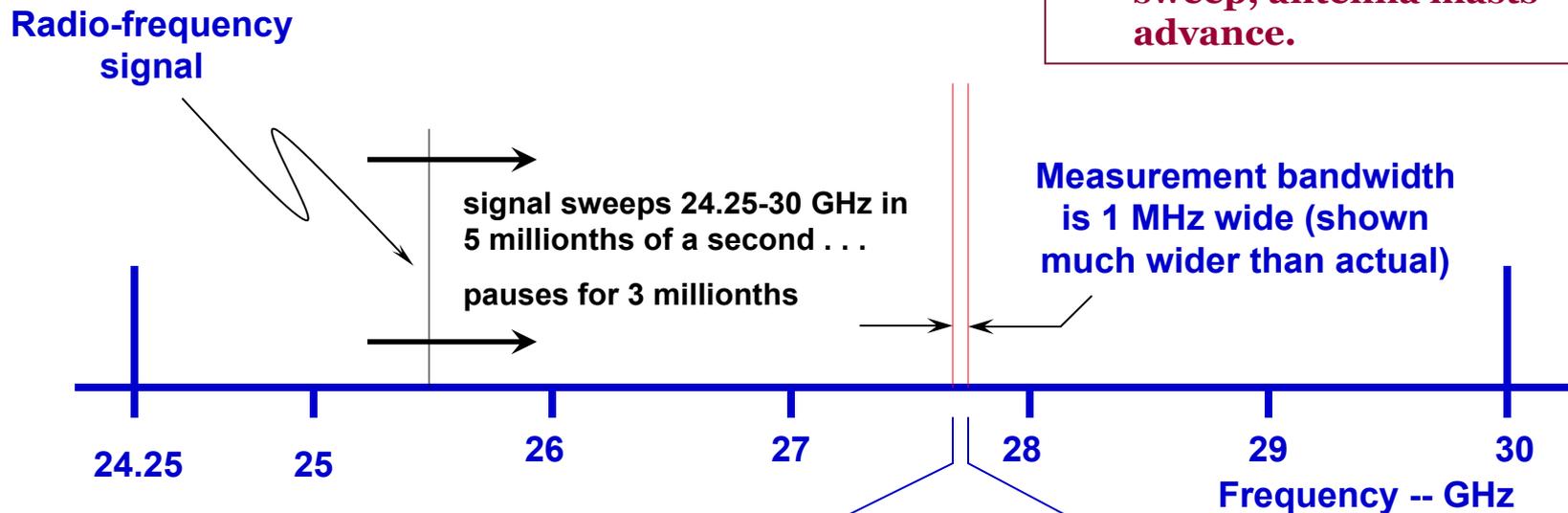


# Public Safety Applications

- ❑ Homeland security
  - airports, other transportation terminals
  - borders, checkpoints
  - military and government buildings
- ❑ Correctional institutions
- ❑ Detects both metal *and non-metallic* threat objects
  - replaces metal detectors & hand searches
- ❑ Detects more hidden weapons
  - airport screeners miss weapons in 25% of tests
- ❑ Reduces slow security lines and “groping” allegations.

# Need for Waiver -- 1

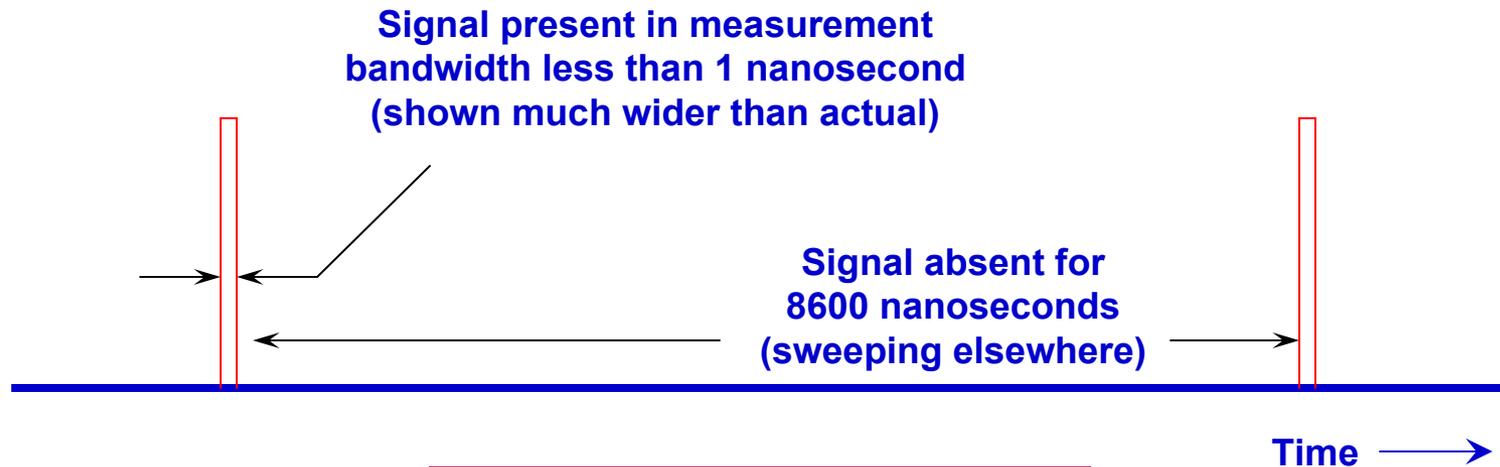
- ❑ Each vertical antenna mast has 192 elements
- ❑ Each element sweeps twice in sequence
- ❑ After all elements sweep, antenna masts advance.



Next slide: activity within the 1 MHz measurement bandwidth

## Need for Waiver -- 2

Shown: Activity within the 1 MHz measurement bandwidth  
(not to scale)



- ❑ Signal is present in measurement bandwidth for 1 time period out of 8850
- ❑ Equivalent to 1 second every 2<sup>1</sup>/<sub>2</sub> hours!



## Proposed Waiver Conditions

- ❑ Indoor installation only
  - shields outdoor receivers
- ❑ SafeView will maintain database of installations
  - instant identification of any interference sources
- ❑ Maximum 100 units in first year, 200 in second year; subsequent years negotiable
- ❑ SafeView user must correct any interference that occurs
  - always required under Part 15.

## Opposition

- ❑ Oppositions filed by three 24 / 28 GHz fixed service licensees
  - allege possible interference
- ❑ But interference can realistically occur only to indoor receivers *in the same room* as the SafeView device
  - *e.g.*, in the same airport terminal
- ❑ Then both SafeView device and fixed service equipment are under control of the same entity (*e.g.*, airport authority)
- ❑ The airport should have the right to choose the technology it needs
  - or it can position the equipment to use both.

## Conclusion

- ❑ The requested waiver is in the public interest because:
  - the SafeView device will directly advance homeland security and public safety
  - the waiver is needed for non-Governmental use of the SafeView device
  - the waiver will not cause interference to other spectrum users.

**Thank you!**

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