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September 29, 2005

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

Re: ET Docket No. 05-213
Notice of Ex Parte Presentation

Dear Ms. Dortch:

On September 28, 2005, Laura A. Stefani and the undersigned, counsel to DexCom, Inc. ("DexCom"), and Steve Kemper and Jake Leach of DexCom, met with Bruce Franca, Julius Knapp, Alan Scrimme and Bruce Romano of the Office of Engineering and Technology ("OET"). The subject of the discussion was the scope of DexCom's above-captioned request for waiver of the Medical Implant Communications ("MICS") rules.

During the meeting, DexCom provided information on its blood glucose monitoring system so that the scope of the waiver sought may be determined more precisely. DexCom also reiterated the need for an expedited decision so that its system may be marketed upon FDA approval.

Additionally, DexCom reiterated the significant public interest benefits from grant of its waiver request, considering:

- (1) The tremendous cost of diabetes to the nation, estimated by the American Diabetes Association to be \$132 billion per year for approximately 17 million diabetics and expected to increase to \$156 billion by 2010; widespread use of Dexcom's technology would save tens of billions of dollars;
- (2) A comprehensive 10-year NIH study, the Diabetes Control and Complications Trial, which proved that control of diabetes through maintenance of constant blood glucose levels greatly reduces the cost and complications of diabetes, including reducing by 50% the incidences of limb amputation and blindness;
- (3) A recent American Association of Clinical Endocrinologists report, which showed that two-third of type II diabetics in America are not in control of their diabetes;
- (4) Peer review publications of clinical trials of the DexCom system, which show that it does a far better job of controlling diabetes than any other method of monitoring blood glucose, allowing diabetics to gain control of their disease within days;
- (5) Studies showing that diabetes disproportionately impacts lower income Americans;
- (6) The relatively equivalent cost of the DexCom system compared with the traditional finger sticking method, and the fact that the DexCom system provides a much better standard of care; and
- (7) The fact that FDA placed the DexCom system on expedited review because of the enormous health benefits.

DexCom seeks a waiver to allow its blood glucose monitoring system to use periodic transmissions in the MICS band without employing listen-before-transmit methodology. In addition to strict compliance with the requirements of the MICS rules other than listen-before-transmit, DexCom devices subject to the waiver will conform to the following maximum operating parameters:

- (1) Occupy no more than 120 kHz of bandwidth at 402.142 MHz +/- 40 kHz;
- (2) Transmissions not to exceed 10 milliseconds each;
- (3) Cumulative transmissions not to exceed 2.88 seconds in a 24-hour period; and
- (4) Duty cycle not to exceed one transmission every five minutes.

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Additionally, the Dexcom representatives made clear that they understand that, if granted, the waiver will be subject to the outcome of any future MICS rulemaking proceeding, as long as there is an appropriate transition period allowed for compliance.

Please direct questions concerning this matter to the undersigned.

Respectfully submitted,

A handwritten signature in black ink that reads "Henry Goldberg". The signature is written in a cursive, slightly slanted style.

Henry Goldberg
Attorney for DexCom, Inc.

cc: Bruce Franca
Julius Knapp
Alan Scrim
Bruce Romano