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October 24, 2006

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

Re: ET Docket No. 06-103
Multispectral Solutions Inc., Request for a Waiver of Part 15
Ex Parte Communication

Dear Ms. Marlene H. Dortch,

I am electronically filing this written ex parte communication in response to the Fixed Wireless Communications Coalition's (FWCC) October 19, 2006 Ex Parte communication in ET Docket No. 06-103. In that communication subject to some additional modifications (see below) FWCC did not object to MSSI's September 14, 2006 amended waiver request which:

- Requested a waiver to increase the peak power allowed under Section 15.250 by 12.75 dB for ultra wideband systems operating in the band 5925-7250 MHz.

- Limited applications to high risk industrial sites such as Petroleum Facilities (production and storage), Chemical Facilities (production and storage), Power Plants (nuclear, hydraulic, electric), Mills (Steel, Paper, Pulp, etc.), Mines of all types and similar potentially hazardous industrial sites where real time personnel tracking is required for safety purposes.

- Required ultra wideband systems subject to this waiver request to automatically deactivate without human intervention when an employee leaves the site.

- Withdrew a previous request to allow livestock tracking applications under this waiver.

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FWCC Suggested Modifications to the MSSI Waiver Requests.

In addition to the modifications already proposed by MSSI, FWCC suggests that the Commission impose the following additional restrictions if it were to grant a waiver to MSSI for its ultra wideband systems:

1. **Fields of Use.** The waiver will be limited to the following types of applications and installations: petroleum, gas, nuclear, steel, and chemical production and processing facilities; manufacturing and storage facilities for energetic materials, radioactive substances, and explosive components; prisons; heavy industry and heavy construction sites; mining, ore processing, and excavation operations; emergency and disaster locations; shipyard/dock works; and lumber/paper processing mills.

2. **Restricted Use.** Waivered tags will be used to track only personnel and not physical assets. The only exception is for safety equipment located at the above qualified locations that would need to be located promptly in the event of an emergency (e.g., respirators, fire extinguishers, decontamination equipment, etc.).

3. **Duty Cycle Limitation.** In every second of operation, the device will be active for no more than 0.1% of the time. Also, tags shall not be operated in a synchronous manner *(i.e.,* no common clocking among tags).

4. **Marketing.** Waivered products will be marketed only for safety applications.

Conclusion

Since the FWCC proposal creates an extra margin of interference protection without jeopardizing the life saving potential of the proposed product, MSSI accepts FWCC's additional constraints. MSSI encourages the Commission to move forward expeditiously and grant its waiver request incorporating the FWCC proposal therein.

Respectfully submitted,

Edmond J. Thomas
Policy Advisor to MSSI

CERTIFICATE OF SERVICE

I, Ashley Kopack, certify that on this day of October 24, 2006, copies of the foregoing ex parte were sent via first class mail, postage prepaid, to the parties listed below.

Ashley Kopack

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