



PUBLIC NOTICE

Federal Communications Commission
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DA 08-953

April 24, 2008

**OFFICE OF ENGINEERING AND TECHNOLOGY TO TREAT
EX PARTE COMMENTS OF GE HEALTHCARE
AS PETITION FOR RULE MAKING AND SEEKS COMMENT**

ET Docket No. 08-59

Comment Date: May 27, 2008

Reply Comment Date: June 11, 2008

On December 27, 2007, GE Healthcare (GEHC) filed *ex parte* comments in ET Docket No. 06-135 in response to a *Notice of Inquiry (NOI)* in the pending *MedRadio Proceeding*.¹

In the *MedRadio Proceeding*, the Commission adopted a combined *Notice of Proposed Rulemaking (NPRM)* and *NOI*. In the *NPRM*, the Commission proposed to allocate additional spectrum in the 400 MHz band for implanted and body-worn medical devices using wireless radiofrequency (RF) technologies that are used for diagnostic and therapeutic purposes in human patients.² More specifically, the *NPRM* explored expanded use of such devices in the existing Medical Implant Communications Service (MICS) 'core' band at 402-405 MHz, as well as in the proposed new MedRadio 'wing' bands at 401-402 MHz and 405-406 MHz.

In the *NOI*, the Commission sought comment on the anticipated developments in the medical devices field and the resulting spectrum requirements of such devices that might use radio frequency (RF) transmitters. More particularly, the Commission asked for detailed

¹ See "Investigation of the Spectrum Requirements for Advanced Medical Technologies, Amendment of Parts 2 and 95 of the Commission's Rules to Establish the Medical Device Radio Communications Service at 401-402 and 405-406 MHz, DexCom, Inc. Request for Waiver of the Frequency Monitoring Requirements of the Medical Implant Communications Service Rules, Biotronik, Inc. Request for Waiver of the Frequency Monitoring Requirements for the Medical Implant Communications Service Rules," ET Docket No. 06-135, RM-11271, *Notice of Proposed Rulemaking and Notice of Inquiry and Order, (MedRadio Proceeding)* 21 FCC Rcd 8164 (2006).

² The most common examples in present day use include cardiac pacemakers and blood glucose monitors. Commenters envision the use of such wireless devices in the treatment of many other medical conditions.

the body of the message, "get form." A sample form and directions will be sent in response.

- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

The full text of the GE Healthcare submission is available for inspection and copying during normal business hours in Room CY-A257, 445 12th Street, SW, Washington, D.C., and may also be purchased from the Commission's duplication contractor, Best Copy and Printing, Inc., (800) 378-3160.

Office of Engineering and Technology contact: Gary Thayer at (202) 418-2290.

By the Chief, Office of Engineering and Technology

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