In their reply to comments dated 6 June, 2008, the lawyers for Recon Robotics make several false claims which require rebuttal.

They claim that amateur radio operators will be concerned about being held responsible for interference to operation of the proposed device. This is not true. Amateur operators are fully aware of secondary status and the limitations thereof. We are not concerned about being held responsible, we are concerned for the potential danger to law enforcement officers. It does not matter whose fault it is in the long run if someone dies, they are just as dead.

Recon Robotics claims that no higher frequency can be used because doing so would require officers to move closer to a dangerous situation. This is exactly what officers facing interference from amateur radio operations will be forced to do. As Recon Robotics admits, their users will be unable to identify the source or kind of interference. Thus, moving closer is the only solution they will have.

Second, Recon Robotics claims that the spectrum below 40GHz is full. This, too, it not entirely true. A large portion of that spectrum in most areas is empty. I am referring to VHF television channels 2 through 13, and the lower UHF channels. By design, each active television station covers a limited area. It is easy to locate an empty channel and operate there.

Since the television licensees are at a fixed power and location and most operate 24 hours per day, it is trivial to identify any existing interference to the Scout and change channels prior to deployment. Even without local knowledge of available channels, the FCC database of service contours and signal coverages can be used to provide a map of available channels in any area of the US.

On the other hand, amateur operations are intermittent and highly unpredictable to an outside observer. It is impossible for a casual user to determine that he has selected the input frequency of one repeater in a state-wide linked network for his robot operation prior to actually causing interference to that state-wide network. While fixed assets such as repeaters can be mapped ahead of time, mobile and portable assets

cannot.

Third, the claim is made that the emergencies where a Scout will be used will not involve amateur assistance. As a volunteer with the local county sheriff's office, I can assure Recon Robotics that amateur radio operators can be and are more involved in emergency operations than they claim.

Fourth, the claim is made that the deployments will be "emergencies". The comments filed by Mr. Darin Logue mention that his officers immediately began identifying "hundreds of applications and possibilities". One comment identified the search of car undercarriages as one of their uses. It is unlikely that this device, once handed to a working police officer, will find itself limited to true emergency use only, and Recon Robotics has no means of enforcing such a limitation even if the waiver requires it.

Finally, regarding satellite operations, Recon Robotics apparently does not realize that even the highest gain beam antennas are not perfect. Even though the forward lobes predominate, there are significant reverse lobes, and every beam pointed up also receives what is behind it. Recon Robotics has pointed out that their users will be unable to identify the source of interference if amateurs interfere with them; it is just as unlikely that an amateur satellite user will be able to identify Recon Robotics, and it is Recon Robotics' responsibility to act preemptively to prevent this interference.

For these reasons, I request that their waiver be denied.

Thank you.

John Stanley