

United States Senate

WASHINGTON, DC 20510

August 6, 2009

1329

The Honorable Julius Genachowski
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Amendment of Parts 2 and 95 of the Commission's Rules to Provide Additional Spectrum for the Medical Device Radiocommunication Service in the 413-457 MHz Band (ET Dkt. No. 09-36; RM-11404)

Dear Mr. Chairman,

I am writing in regards to the Federal Communication Commission's proposal to allocate spectrum in the 413-457 MHz band and adopt rules for use by medical micro-power network ("MMN") devices.

I understand that the Alfred Mann Foundation -- a nonprofit medical research foundation dedicated to bringing advanced medical technologies to the public -- has made significant progress in developing innovative MMN equipment designed to restore function to paralyzed limbs and organs. This equipment can provide an important tool in the medical treatment and care of millions of disabled Americans, including U.S. service men and women who suffered spinal cord, traumatic brain, and other severe injuries during their military service in Afghanistan, Iraq, and elsewhere.

Without adequate spectrum and service rules to permit MMN use millions of Americans may be deprived of a safe, convenient, and effective medical treatment for their serious neuromuscular injuries and conditions. I urge the Commission to take into consideration the significant medical benefits of MMN technology and consider allocating sufficient spectrum and establishing appropriate rules to accommodate MMN operation in the 413-457 MHz band.

Thank you for your time and consideration.

Sincerely,


Richard Burr
United States Senator

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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

September 11, 2009

The Honorable Richard M. Burr
United States Senate
217 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your August 6, 2009 letter concerning the Commission's *Notice of Proposed Rulemaking (NPRM)* that seeks comment on providing spectrum for Medical Micropower Network (MMN) use in the 413-457 MHz band. In your letter, you urge the Commission to consider the significant medical benefits of MMN technology, and to consider allocating sufficient spectrum with appropriate rules to accommodate such MMN operations in this frequency band.

As you note in your letter, this proceeding was initiated in response to a petition for rulemaking filed by the Alfred Mann Foundation (AMF). In its petition, AMF proposes to establish a new wideband MMN service that could afford significant quality of life benefits for persons suffering from neurological disorders as a result of injury or disease. Such new wireless technologies might be very useful, particularly for the treatment and rehabilitation of military personnel returning from Iraq and Afghanistan suffering from spinal cord, traumatic brain, and other severe injuries received during their military service.

Comments on the *NPRM* were due August 11, 2009, with reply comments due September 10, 2009. In the record developed to date, many parties support allocating spectrum for MMN purposes in the 413-457 MHz band, while others express some concern about the compatibility of MMN devices with incumbent operations in portions of this band. The Commission will consider the record developed in this proceeding very carefully, including your letter.

I appreciate your interest in this important matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Julius Genachowski", written over a horizontal line.

Julius Genachowski
Chairman