

WILLIAM K. KEANE  
DIRECT DIAL: 202.776.5243  
PERSONAL FAX: 202.478.2160  
E-MAIL: kkeane@duanemorris.com

www.duanemorris.com

**DuaneMorris®**

FIRM and AFFILIATE OFFICES

NEW YORK  
LONDON  
SINGAPORE  
LOS ANGELES  
CHICAGO  
HOUSTON  
HANOI  
PHILADELPHIA  
SAN DIEGO  
SAN FRANCISCO  
BALTIMORE  
BOSTON  
WASHINGTON, DC  
LAS VEGAS  
ATLANTA  
MIAMI  
PITTSBURGH  
NEWARK  
BOCA RATON  
WILMINGTON  
PRINCETON  
LAKE TAHOE  
HO CHI MINH CITY

April 19, 2010

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street S.W.  
Washington DC 20554

**Re: RM-11596**  
**Ex Parte Statement**

Dear Ms. Dortch:

As the Commission is aware, the Aerospace and Flight Test Radio Coordinating Council (“AFTRCC”) is the entity certified by the Commission for coordination of flight test voice and telemetry frequencies for Non-Government entities.

AFTRCC is also an association of the nation’s leading aerospace manufacturers. See attachment. AFTRCC has been in existence since 1954 and has been a frequent participant in Commission proceedings affecting radio spectrum allocated for flight testing.

It has come to AFTRCC’s attention that a Petition for Rulemaking was recently filed by OCAS, Inc (“OCAS”). That Petition seeks a proceeding looking toward creation of rules for an automatic tower warning system using frequencies in the band 118-136 MHz. This band includes frequencies coordinated by AFTRCC, and used by aerospace manufacturers, for flight test voice communications. See Rule 87.303.

Initial comments on this Petition are due today.<sup>1</sup> AFTRCC was not previously aware of the Petition, but given its responsibilities, AFTRCC is clearly an interested party. While AFTRCC has not had an opportunity to consider the Petition in any detail, it expects to do so in the coming days, and will submit any comments deemed appropriate.

---

<sup>1</sup> Public Notice, Report No. 2905, March 18, 2010.

Any questions concerning this matter may be directed to the undersigned.

Sincerely,



William K. Keane

*Counsel for Aerospace and Flight Test  
Radio Coordinating Council*

cc: C. Douglas Jarrett, Keller and Heckman LLP  
Komal K. Jain, Keller and Heckman LLP  
Wesley K. Wright, Keller and Heckman LLP

# Aerospace and Flight Test Radio Coordinating Council Members



Electronic Sensors & Systems Sector



L3 Telemetry East



## CERTIFICATE OF SERVICE

I, Stephanie M. Lemke, hereby certify that I have caused a copy the attached ex parte to be deposited in the U.S. Mail, first class postage prepaid, this 19th day of April 2010, addressed as follows:

C. Douglas Jarrett  
Komal K. Jain  
Wesley K. Wright

Keller and Heckman LLP  
1001 G Street, NW  
Suite 500 West  
Washington, DC 20001

A handwritten signature in cursive script that reads "Stephanie M. Lemke". The signature is written in dark ink and is positioned to the right of the typed address information.