

September 2, 2011

By Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Reply Comments
ET Docket No. 11-123

Dear Ms. Dortch:

Second Sight Medical Products, Inc. (“Second Sight”), pursuant to Section 1.415 of the Commission rules, 47 C.F.R. § 1.415, submits these reply comments in support of its unopposed request for a waiver of Section 15.209(a) to allow the marketing and operation of the ArgusTM II Retinal Prosthesis (“Argus II”) System.¹

As Second Sight stated in its request, the Argus II System is a revolutionary medical technology designed to restore a level of functional vision and provide a viable long-term treatment for individuals who suffer from certain advanced retinal degenerative diseases and who have no proven treatment alternatives.² As Second Sight further demonstrated, grant of the requested waiver will offer invaluable health and public interest benefits and is consistent with the underlying purpose of Section 15.209(a) in preventing harmful interference to existing

¹ See *Office of Engineering and Technology Declares the Second Sight Medical Products, Inc. Request for Waiver of Rule Section 15.209(a) to Be a “Permit-but-Disclose” Proceeding for Ex Parte Purposes and Requests Comment*, Public Notice, DA 11-1213 (July 20, 2011). No parties filed comments, which were due on August 19, 2011, raising any objection to Second Sight’s waiver request.

² See Second Sight Request for Waiver at 1, 3 (May 27, 2011).

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licensed services.³ On the other hand, strict compliance with the rule would be unduly burdensome, would deprive blind patients of breakthrough treatment that is already commercially available in Europe, and would be contrary to Commission precedent and the public interest.⁴

In view of the foregoing and the lack of objections to its request, Second Sight urges the Commission to grant the requested waiver expeditiously to allow the commercial availability of a pioneering technology that offers immeasurable benefits for profoundly blind persons in the United States with no proven treatment alternatives, while causing no harmful interference to other authorized services.

Sincerely,

/s/ Cheryl A. Tritt
Cheryl A. Tritt
Counsel to Second Sight Medical Products, Inc.

cc: Julius Knapp
Geraldine Matisse

³ *Id.* at 9-14.

⁴ *Id.* at 14-16.