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January 28, 2013

By Electronic Filing

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: In the Matter of Progeny LMS, LLC, Petition for Waiver of the Rules and Request for Expedited Treatment
WT Docket No. 11-49
Ex Parte Notice

Dear Ms. Dortch:

On January 24, 2013, Michael Slack, Vice President of Technology and Business Development for Inovonics Wireless Corporation ("Inovonics"), as well as the undersigned and Laura Stefani of this firm, counsel for Inovonics, met with the following individuals from the Office of Engineering and Technology: Julius Knapp, Bruce Romano, Geraldine Matise, Mark Settle, Hugh Van Tuyl, Rashmi Doshi, Steven Jones and Mark Neumann.

A portion of the meeting addressed the above-captioned matter, in line with Inovonics' prior filing.[1] In particular, Inovonics noted that it did not have notice of this proceeding until last month, and for this reason was unable to ask to the Commission to be involved in the joint testing with Progeny, which it believes would be important to fully understand the impact of Progeny on its system.

Inovonics noted some of the important public safety uses of its mobile duress (panic button alarm) products, by such customers as government officials, government buildings, schools, movie theaters, court houses and hospitals. Activation of these alarms will summon help from first responders. Inovonics also detailed its new Emergency Duress System, which includes location-based features so that first responders, through 911, a dispatch service, or radio transmissions, can obtain the exact location of a person in duress. These systems are designed for use by institutions such as hospitals, schools and movie theaters. Inovonics explained that it is able to perform these location-based services within the Part 15 rules, *i.e.*, with a much lower power and duty cycle levels than Progeny.

With regard to the ability of FHSS systems to withstand the effects of Progeny's signals, Inovonics explained that it developed its system with FHSS technology to achieve a 99.999% probability that important, life-saving transmissions go through. For this reason, Inovonics relies on use of all of its channels across the 902-928 MHz band, and the existence of Progeny's high signals on some of these channels would lower the probability that a life safety message is received.

In addition, Inovonics explained that there was a strong likelihood that its receivers would be located very near to Progeny beacons in urban locations, as it commonly locates its receivers on roof-tops of office buildings, hospitals, and assisted living centers. Inovonics is thus very concerned about overload to its receivers from Progeny's high power signals.

Due to these concerns, and the concerns expressed in its comments, Inovonics questioned what will become of its installed base of three million transmitters should the FCC allow Progeny to commence operations, and who would have the duty to inform consumers that their life safety devices may not function reliably.

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[1] *See* Comments of Inovonics Wireless Corporation, WT Docket No. 11-49 (filed Dec. 20, 2012).

Please direct any questions to the undersigned.

Sincerely,

Henry Goldberg
Attorney for Inovonics

cc: Julie Knapp
Bruce Romano
Geraldine Matise
Mark Settle
Hugh Van Tuyl
Rashmi Doshi
Steven Jones
Mark Neumann