

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington DC 20554**

Wireless Telecommunications Bureau seeks)
comment on request of Ascend Performance) WT Docket 99-87
Materials for Waiver of Section 90.209(B) of)
the Commission's Rules to Permit Wideband)
Operations Indefinitely)

**REPLY COMMENTS
ASCEND PERFORMANCE MATERIALS**

By its attorneys and pursuant to the Public Notice issued by the FCC on June 10, 2013,¹ Ascend Performance Materials LLC ("Ascend") submits these Reply Comments urging the Commission to permit Ascend to continue operating a low power (2 watts ERP) mobile-only system under call sign KD 28206 (the "License").

I. Introduction

Ascend Performance Materials is a global leader in proprietary technologies that are central to the production of nylon, plastics and synthetic fibers found in thousands of commercial and industrial products, including carpet, tires and apparel, as well as agricultural products, animal feed and personal care products. The business has world scale integrated manufacturing facilities which enable the company to develop new products from its core technologies, and provides flexibility to respond to the expanding needs of its customers. The company has sales offices throughout the world and five manufacturing facilities in the United States.

The License covers operations at Ascend's facility in Pensacola, Florida. The License authorizes the company to operate on 25 kHz-wide channels. A waiver is required because this

¹ *Wireless Telecommunications Bureau seeks comment on request of Ascend Performance Materials for Waiver of Section 90.209(B) of the Commission's Rules to Permit Wideband Operations Indefinitely*, Public Notice, DA 13-1342 (rel. June 10, 2013)("Public Notice").

equipment does not meet the minimum data rate of 4800 bits per second per 6.25 kHz of channel bandwidth (“Data Efficiency Standard”).²

Ascend uses the License to operate radio controlled Automated Guided Vehicles (“AGVs”) at this facility. AGVs are powered, wheel-based, robotic transport vehicles that operate under computer control without the need for human drivers. AGVs increase manufacturing plant safety and efficiency. Ascend operates approximately one dozen AGVs at any given time at its Pensacola facility and relies on a sophisticated network that includes controllers mounted on the vehicles and a modem to control these vehicles. Though Ascend filed a modification application to operate the License on narrower channels in August,³ the transition to technology capable of meeting the Data Efficiency Standard has been indefinitely delayed.

It has been difficult for Ascend to upgrade the equipment associated with this system to meet the Data Efficiency Standard because the software that controls these vehicles is proprietary and cannot be modified by Ascend. The company was granted a waiver by the Commission to complete the transition by June 30, 2013. On February 12, 2013, Ascend filed the instant waiver request.⁴

II. Reply Comments

The Public Notice sought comment on whether the public interest would be served by granting Ascend’s request. As noted in its waiver request, Ascend met with several vendors to discuss solutions that would allow the AGV equipment to be upgraded to meet the Data Efficiency Standard. The only option that would ensure the company could meet the Data

² The equipment is capable of transmitting 2400 bits per second per 6.25 kHz of channel bandwidth. Ascend has complied with the requirements of Section 90.203(j)(3) with respect to all of its other licenses.

³ FCC File No. 0005357648.

⁴ FCC File No. 0005646120.

Efficiency Standard would take the better part of a year to complete and may cost as much as \$400,000, well in excess of the per unit upgrade costs incurred by typical mobile only licensees. Any benefit from this upgrade would largely be illusory. The upgraded AGVs would continue to operate on 25 kHz channels. Even though the upgraded equipment would be capable of transmitting at a throughput of 4800 bits per second per 6.25 kHz of channel bandwidth, this higher capacity is not required for AGV operations.

Thus, strict application of the rule would impose an extremely burdensome requirement on Ascend given the small number of units to be upgraded and the limited public interest benefit.

The Commission also sought comment from parties located near Ascend's Pensacola facility whose operations could be impacted by grant of the waiver. It appears the only party that filed comments in response to the Public Notice was ExxonMobil Chemical Company ("ExxonMobil").⁵ ExxonMobil's facility is located next to Ascend's Pensacola site and supported Ascend's request.

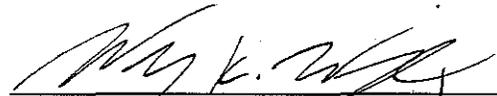
Given the location and support of Ascend's neighbor, there should be no co-channel or adjacent channel impacts on permitting Ascend to continue operating its existing equipment. This system is authorized for 2-watt (1-watt ERP is more typical for the system), low power operations used inside a large industrial building, operating 10 miles north of the city of Pensacola, Florida. There do not appear to be co-channel users within 20 miles of Ascend's operation. On the other hand, the continued safe operation of these vehicles is instrumental to the ongoing operation of the facility and in the public interest.

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⁵ See, Comments of ExxonMobil Chemical Company, ECFS Confirmation Number 2013618404832.

Based on the foregoing, Ascend respectfully submits that grant of its waiver request is in the public interest and urges the Commission to approve its request so the company may continue operating the AGVs at its Pensacola facility.

Respectfully submitted,



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