



PUBLIC NOTICE

**Federal Communications Commission
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**DA 01-1705
July 16, 2001**

Safety Warning Systems, L.C. , Files Request for Waiver of Section 15.205(b)

On October 26, 2000, Safety Warning Systems, L.C., (SWS) requested a waiver of Section 15.205(b) of the Commission's rules to permit certification of a device for MPH Industries, Inc., (MPH). Section 15.205(b) limits the spurious emissions in a restricted band (i.e., spectrum above 38.6 GHz) to the values in Section 15.209 i.e., 500 uV/m at 3m. Because the second and third harmonics of the device exceed that value, SWS requests a waiver to permit certification of the devices under the limits in Section 15.249 for the second and third harmonics.

SWS notes that the MPH device is a Part 15 intentional radiator that transmits data in the 24.1 GHz band, pursuant to Section 15.249. Its sole purpose is to send traffic safety alerts to a receiver in a moving car. Messages can include information on road hazards, accidents, construction, emergency vehicles, slow-moving equipment, oversize loads, etc.

The Office of Engineering and Technology is reviewing the request to determine whether a waiver of the rules should be granted and seeks comments from interested parties concerning this matter.

Interested parties may file comments or oppositions to this waiver request on or before July 31, 2001. Parties interested in submitting reply comments must do so on or before August 15, 2001. All comments should reference the subject Waiver Request by Safety Warning Systems, L.C., DA 01-1705, and should be filed with the Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, SW, Room TW-A325, Washington, D.C. 20554. A copy of each filing should be sent to International Transcription Services, Inc. (ITS), 445 Twelfth Street, SW, Room CY-B400, Washington, D.C. 20554. In addition, courtesy copies of each filing should be sent to Neal McNeil, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, 445 Twelfth Street, SW, Room 7-A133, Washington, D.C. 20554.

The full text of the Waiver Request, comments and reply comments will be available for public inspection and duplication during regular business hours in the FCC Reference Information Center, Room CY-A257, 445 Twelfth Street, SW, Washington, D.C. 20554. Copies may also be obtained from International Transcription Services, Inc., 445 Twelfth Street, SW, Room CY-B400, Washington, D.C. 20554, (202) 314-3070.

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules. See 47 C.F.R. §§ 1.1200 and 1.1206. Persons making oral ex parte presentations are reminded that memoranda summarizing the presentations must contain summaries or the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written ex parte presentations in permit-but-disclose proceedings are set forth in 47 C.F.R. § 1.1206(b).

For further information concerning this proceeding, please contact Neal McNeil at (202) 418-2408, Office of Engineering and Technology, Federal Communications Commission.

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