



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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DA 08-102

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST FOR WAIVER BY AVIATION DATA SYSTEMS OF PART 87 RULES TO ALLOW CERTIFICATION OF A SYSTEM TO TEST AIRCRAFT DATA LINK SYSTEMS

WT Docket No. 08-9

Comment Date: February 5, 2008

Reply Date: February 15, 2008

On October 15, 2007, Aviation Data Systems (Aust) Pty Ltd. (ADS) filed a request for waiver of Section 87.131 of the Commission's Rules¹ to permit equipment certification of its MPRT-500, a new system to test aircraft data link systems. ADS's MPRT-500 Aircraft Data Link System is used on the tarmac close to the aircraft and transmits and decodes responses back from the aircraft. It is designed to support two protocols, Aircraft Communication Addressing and Reporting System (ACARS) and Very High Frequency Digital Link (VDL2). These protocols use G1D emission,² but Section 87.131 does not authorize G1D emission for radionavigation land test equipment.³ Consequently, ADS requests a waiver of Section 87.131 to operate the MPRT-500 in the 129.125-136.975 MHz band and include emission designator 14K0G1D between 136.900 MHz and 136.975 MHz at an output power of 1 mW. It states that this will provide valuable test data to the aviation community and present no increased risk of interference to aircraft receivers in the ramp vicinity used to test aircraft data links

Procedural Matters

Comments on the request are due **no later than February 5, 2008**. Reply comments are due **no later than February 15, 2008**. All filings should reference the docket number of this proceeding, WT 08-9.

¹ 47 C.F.R. § 87.131.

² Emissions are designated by an alphanumeric code that indicates the type of modulation of the main carrier, nature of the signal(s) modulating the main carrier, and the type of information to be transmitted. *See* 47 C.F.R. § 2.201(b). G1D is a type of phase modulated digital emission. *See* 47 C.F.R. § 2.201(e).

³ Currently, ramp test sets are used to test other systems such as Distance Measuring Equipment, VHF Omnidirectional Radio Range, Air Traffic Control Transponders, and Instrument Landing Systems. The MPRT-500 differs in that it is used to test aircraft data links and operates in the 118-137 MHz band, rather than the 108-118 MHz navigational band where other ramp test sets typically operate. We concluded in connection with a previous waiver request filed by ADS that radionavigation land test equipment is the most appropriate description of the MPRT-500. *See* Aviation Data Systems (Aust) Pty Ltd., *Order*, 22 FCC Rcd 1603, 1606 ¶ 10 (WTB MD 2007). The instant request is a modification of the previous request, and is intended to address concerns that led to the denial of that request. *See id.*

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁴ Parties making oral *ex parte* presentations in this proceeding are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁵ More than a one- or two-sentence description of the views and arguments presented is generally required.⁶

The request is available for public inspection and copying in the Commission's Reference Center, Room CY-A257, 445 12th Street, S.W., Washington, D.C. 20554. Copies of the Request also may be obtained via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT 08-9. Copies of the request are also available from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, “get form.” A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

- The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.
- All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Parties shall send one copy of their comments and reply comments to Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (800) 378-3160, e-mail

⁴ *See* 47 C.F.R. §§ 1.1200(a), 1.1206.

⁵ *See* Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁶ *See* 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written presentations are also set forth in Section 1.1206(b). *See* 47 C.F.R. § 1.1206(b).

FCC@BCPIWEB.com.

Comments filed in response to this *Public Notice* will be available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street S.W., Room CY-A257, Washington, D.C. 20554, and via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT 08-9. The comments may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

Alternate formats of this *Public Notice* (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 (voice), (202) 418-7365 (TTY), or send an e-mail to access@fcc.gov.

For further information, contact Mr. Jim Shaffer of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-0687, james.shaffer@fcc.gov.

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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