



PUBLIC NOTICE

Federal Communications Commission
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DA 10-223

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**WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST BY
McMURDO, LTD. FOR WAIVER TO ALLOW CERTIFICATION AND USE OF SMARTFIND S5
AUTOMATIC IDENTIFICATION SYSTEM SEARCH AND RESCUE TRANSPONDER**

WT Docket No. 10-34

Comment Date: February 24, 2010

Reply Date: March 8, 2010

On November 29, 2009, McMurdo, Ltd. (McMurdo) filed a request for waiver of Section 80.1101(c)(6) of the Commission's Rules¹ to permit equipment certification and use of its Smartfind S5 Automatic Identification System Search and Rescue Transmitter (AIS-SART). An AIS-SART is used to locate a survival craft or distressed vessel by transmitting Global Positioning System (GPS) coordinates to all AIS-enabled devices within VHF radio range.²

The International Maritime Organization has amended the Global Maritime Distress and Safety System (GMDSS) regulations to permit AIS-SARTs as an alternative to GMDSS SARTs operating in the 9.2-9.5 GHz (9 GHz) band, effective January 1, 2010.³ Because Section 80.1101(c)(6) of the Commission's Rules authorizes only SARTs operating in the 9 GHz band, McMurdo seeks a waiver to permit certification and use of its AIS-SART, which it states meets all international requirements. However, the Smartfind S5 AIS-SART does not meet the technical standards for a GMDSS SART in Section 80.1011.⁴ McMurdo

¹ 47 C.F.R. § 80.1101(c)(6).

² The AIS-SART is programmed from the manufacturer with a unique ID code and receives its position via an internal GPS antenna. This data is combined and transmitted using the international AIS channels (AIS A – 161.975 MHz and AIS B – 162.025 MHz) in the maritime VHF band.

³ See IMO Resolution MSC.246(83), "Adoption of Performance Standards for Survival Craft AIS Search and Rescue Transmitters (AIS-SART) for Use in Search and Rescue Operations." Additionally, performance and technical specifications for the AIS-SART were approved by the International Electrical Committee on January 15, 2010. See IEC 61097-14 Ed. 1, "Global maritime distress and safety system (GMDSS) – Part 14: AIS search and rescue transmitter (AIS-SART) – Operational and performance requirements, methods of testing and required test results."

⁴ Specifically, the AIS-SART transmits on frequencies 161.975 MHz and 162.025 MHz using a modulation scheme of Self-Organizing Time Division Multiple Access (SOTDMA) employing Gaussian minimum shift keying; while the GMDSS SART transmits on frequencies in the 9 GHz band with a transmission that is pulsed, and the modulation is a series of twelve sweeps from 9.2 GHz to 9.5 GHz. Also, the AIS-SART's power is 1 watt compared to 400 milliwatts for the GMDSS SART.

argues that its device should not be required to meet the GMDSS SART standards, because the device performs more effectively than other locating transmitters and can be located at greater distances with GPS precision. McMurdo believes its AIS-SART will enhance marine safety by making search and rescue operations more efficient and less time-consuming.

Procedural Matters

Comments on the request are due **no later than February 24, 2010**. Reply comments are due **no later than March 8, 2010**. All filings should reference the docket number of this proceeding, WT 10-34.

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁵ 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.⁶ More than a one- or two-sentence description of the views and arguments presented is generally required.⁷

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). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, as follows:

-Effective December 28, 2009, all hand-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., S.W., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Envelopes must be disposed of before entering the building. The filing hours at this location are 8:00 a.m. to 7:00 p.m. **PLEASE NOTE:** This is the **ONLY** location where hand-delivered or messenger-delivered paper filings for the Commission's Secretary will be accepted. The Commission's former filing location at 236 Massachusetts Ave., N.E., is permanently closed.

-Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must

⁵ *See* 47 C.F.R. §§ 1.1200(a), 1.1206.

⁶ *See* Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁷ *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).

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.

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 FCC@BCPIWEB.com.

The request, and comments and reply 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 10-34. They 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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