

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Request for Renewal of Waiver of)	
Section 15.511(a) and (b) of the Commission's)	ET Docket No. 06-195
Rules for Ultra-Wideband Devices Granted to)	
UltraVision Security Systems, Inc.)	
)	
Association for Maximum Service Television, Inc.)	
Petition for Reconsideration of Waiver Granted to)	
UltraVision Security Systems, Inc.)	

ORDER

Adopted: May 29, 2012

Released: May 31, 2012

By the Chief, Office of Engineering and Technology:

1. By this Order, we deny a request to renew the waiver of Sections 15.511(a) and (b) of the rules granted to UltraVision Security Systems, Inc. (UltraVision) to permit the certification and limited marketing of its UltraSensor ultra-wideband (UWB) surveillance systems.¹ We also dismiss the Association for Maximum Service Television, Inc.'s (MSTV) petition for reconsideration in this matter as moot.²

2. On November 19, 2008, the Commission adopted an *Order* granting UltraVision's request to waive the provisions of Sections 15.511(a) and (b) of the rules, which specify permitted operating frequency range and permitted users for UWB surveillance systems.³ The Commission waived these rules to permit the UltraSensor surveillance system to operate in the 80-600 MHz band and to allow UltraVision to market up to 350 installations of its UltraSensor system over a two-year period to any entity eligible for licensing under Part 90 of the rules.⁴ In addition, the Commission imposed specific operational and technical conditions on the UltraSensor systems to ensure that authorized spectrum users were protected from harmful interference. These conditions included the requirement that operators of these surveillance systems comply with the Commission's coordination requirement for ultra-wideband

¹ See *UltraVision Security Systems, Inc. Request for Interpretation and Waiver of Section 15.511(a) & (b) of the Commission's Rules for Ultra-Wideband Devices, Order (UltraVision Waiver Order)*, ET Docket 06-195, 23 FCC Rcd 17632 (2008). See also *UltraVision Request for Renewal of Waiver (Request)*, ET Docket 06-195 (filed November 2, 2010).

² The Association for Maximum Service Television, Inc. petition for reconsideration (Petition) in ET Docket No. 06-195 filed December 18, 2008. On June 1, 2011, MSTV merged with the National Association of Broadcasters (NAB).

³ See *UltraVision Waiver Order*. Section 15.511(a), 47 C.F.R. § 15.511(a), requires the bandwidth of a UWB surveillance system to be contained between 1990 and 10,600 MHz. Section 15.511(b), 47 C.F.R. § 15.511(b), limits the sale and operation of UWB surveillance systems to law enforcement, fire or emergency rescue organizations or manufacturing, petroleum or power licensees as defined in Section 90.7 of the Commission's rules., 47 C.F.R. § 90.7.

⁴ 47 C.F.R. §15.511(b)(1).

devices in Section 15.511(b)(2).⁵ The waiver also stipulated that UltraVision could request that the waiver be extended after the end of the original two-year waiver period after the Commission had gained experience with the UltraSensor system.⁶

3. On December 18, 2008, MSTV filed a petition for reconsideration of the UltraVision waiver. MSTV claims that the Commission made various technical and procedural errors in granting a waiver to UltraVision for the UltraSensor system.

4. On November 2, 2010, UltraVision filed a request for renewal of the waiver.⁷ UltraVision states that the development of the UltraSensor technology was interrupted before completion because shortly after the release of the waiver *Order*, the company that provided funding to UltraVision underwent a change of management and the incoming group stopped funding for UltraVision. The renewal request further states that UltraVision still exists but is not currently active and that the original principals hope to someday resume development of UltraSensor although they do not have a fixed timetable.⁸ UltraVision seeks to extend the waiver for its certified UltraSensor system for an additional two-year period to keep open the option of continued development and eventual production.

5. We are denying UltraVision's waiver renewal request and dismissing the MSTV petition for reconsideration of the waiver. We find that it is not in the public interest to renew a waiver extension to a company that is no longer active for a product for which it admits it has no development and deployment plans. We find the public interest would be better served if UltraVision requests a new waiver if its circumstances change and it decides to continue developing the UltraSensor technology. Because the UltraVision waiver is no longer valid, the petition for reconsideration of the original waiver does not warrant further examination. Thus, we are dismissing the MSTV petition for reconsideration as moot.

6. Accordingly, IT IS ORDERED that, pursuant to the authority granted in Sections 4(i), 302, and 303(r) of the Communications act of 1934, as amended, 47 U.S.C §§ 4(i), 302, and 303(r), and Sections 0.31 and 0.241 of the Commission's rules, 47 C.F.R §§ 0.31, 0.241, the Request for Renewal of Waiver of UltraVision Security Systems, Inc. IS DENIED.

7. IT IS FURTHER ORDERED that, pursuant to the authority granted in Sections 4(i) and 405 of the Communications Act of 1934, as amended, 47 U.S.C §§ 154(i) and 405, and Section 1.106 of the Commission's rules, 47 C.F.R § 1.106, that the petition for reconsideration filed by MSTV IS DISMISSED AS MOOT as set forth above.

8. IT IS FURTHER ORDERED that this proceeding, ET Docket No. 06-195 IS HEREBY TERMINATED.

⁵ 47 C.F.R. §15.511(b)(2). *See also* 47 C.F.R. §15.525.

⁶ UltraVision obtained an equipment authorization for the UltraSensor system, FCC ID USJCMD2A-F2, however, to date no systems have been deployed.

⁷ *See* UltraVision's Request.

⁸ *Id* at 2.

9. For further information regarding this Order, contact Aole Wilkins, Office of Engineering and Technology, (202) 418-2406, aole.wilkins@fcc.gov.

FEDERAL COMMUNICATIONS COMMISSION

Julius P. Knapp
Chief, Office of Engineering and Technology