



PUBLIC NOTICE

Federal Communications Commission
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DA 13-796
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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST BY MARINE RESCUE TECHNOLOGIES LIMITED FOR WAIVER TO ALLOW CERTIFICATION AND USE OF AUTOMATIC IDENTIFICATION SYSTEM MARITIME SURVIVOR LOCATING DEVICE

WT Docket No. 13-99

Comment Date: June 3, 2013

Reply Date: June 18, 2013

On March 4, 2013, Marine Rescue Technologies Limited (MRT) filed a request for waiver to allow the equipment certification and use of its Sea Marshall AU9 Maritime Survivor Locating Device (MSLD). MSLDs are intended for use by persons at risk of falling into the water such as mariners and workers on marine installations or docks.¹ Because the Commission's Rules do not currently permit certification or use of MSLDs, they have been authorized by way of waiver of Section 80.1061 of the Commission's Rules, which authorizes Emergency Position Indicating Radio Beacons (EPIRBs).² MRT's predecessor-in-interest was granted a waiver for a previous version of the AU9 that transmits Global Positioning System (GPS) coordinates on frequency 121.5 MHz.³ MRT now seeks a waiver to permit equipment certification and use of an enhanced AU9 that transmits GPS coordinates and a unique identity code on Automatic Identification System (AIS)⁴ frequencies.

MRT was granted equipment authorization pursuant to waiver to allow the AU9 to transmit on frequency 121.5 MHz at a maximum of 100mW effective radiated power (ERP). The device met the applicable parts of Radio Technical Commission for Maritime Services (RTCM) Recommended Standard

¹ They can be worn on or as part of a garment or life jacket, and are intended to facilitate the rescue of personnel in the vicinity of their vessel or structure so that immediate assistance can be rendered without a time-consuming and expensive search and rescue operation.

² MSLDs differ from EPIRBs in that EPIRBs transmit a digital signal on 406.0-406.1 MHz that is detected by the search and rescue satellite-aided tracking (SARSAT) system operated by the National Oceanic and Atmospheric Administration. MSLDs do not meet all the requirements in Section 80.1061 because, in light of their narrower focus, MSLDs do not operate on a frequency monitored by COSPAS-SARSAT, and do not transmit with as much power or for as long as EPIRBs.

³ See FCC ID YFGAU9, granted July 20, 2010; see also David Marshall, *Letter*, 13 FCC Rcd 23688, 23688-89 (WTB PSPWD 1998).

⁴ AIS is an international maritime navigation safety communications system adopted by the International Maritime Organization and Safety of Life at Sea Convention intended for collision avoidance, monitoring and tracking.

for MSLDs.⁵ MRT now seeks a waiver to allow the device to transmit identity and location information on the international AIS channels (AIS A – 161.975 MHz and AIS B – 162.025 MHz) at 500 mW ERP using a modulation scheme of Self-Organizing Time Division Multiple Access (SOTDMA) employing Gaussian minimum shift keying at 9600 bps to access channels as defined in ITU R M.1371-4.⁶ The enhanced AU9 is programmed with a unique nine-digit identification code in which the first three digits (972) identify the device as a MSLD and the last six digits identify the manufacturer and the individual unit. MRT believes that transmitting this information on AIS channels will enhance the rapid location, identification, and rescue of survivors because the information will be received by any nearby AIS-enabled device in addition to the MSLD base unit.

Procedural Matters

Interested parties may file comments and reply comments in response to the waiver request on or before the dates listed on the first page of this *Public Notice*. All pleadings must reference WT Docket No. 13-99. Parties may file comments using (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁷

- **Electronic Filers:** File comments electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- In completing the transmittal screen, filers 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, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and two copies of each filing.

Send filings 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). Address filings to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Deliver hand-delivered or messenger-delivered paper filings to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554 between 8:00 AM and 7:00 PM. Use rubber bands or fasteners to hold deliveries together. Dispose of all envelopes before entering the building.
- Send commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) to 9300 East Hampton Drive, Capitol Heights, MD 20743.

⁵ RTCM Standard 11901.0 for Maritime Survivor Locating Devices (MSLD), dated Dec. 10, 2004.

⁶ ITU-R Recommendation M.1371-4, Technical Characteristics for an Automatic Identification System Using Time Division Multiple Access in the VHF maritime mobile band (2010).

⁷ See Electronic Filing of Documents in Rulemaking Proceedings, *Report and Order*, GC Docket No. 97-113, 13 FCC Rcd 11322 (1998).

- Send U.S. Postal Service first-class, Express, and Priority mail to 445 12th Street, SW, Washington DC 20554.

Parties are requested to 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* are available for viewing via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT 13-99. The documents also 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. They may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (202) 488-5563, TTY (202) 488-5562, 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 the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY), or send an e-mail to fcc504@fcc.gov.

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁸ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

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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⁸ See 47 C.F.R. §§ 1.1200(a), 1.1206.