



PUBLIC NOTICE

Federal Communications Commission
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DA 97-1280

Released: June 20, 1997

**Office of Engineering and Technology
Declares Amtech Systems Corporation Waiver Request
of Part 15 Spread Spectrum Frequency Hopping Regulations
A "Permit-But-Disclose" Proceeding for Ex Parte Purposes**

On April 3, 1996, Amtech Systems Corporation filed a Request for Waiver to provide for authorization of a modulated backscatter tag reader under the Part 15 Spread Spectrum Frequency Hopping Regulations. We issued a public notice inviting comments from interested parties.¹ Eight parties responded in support of Amtech's request. One party opposed the request. On June 13, 1997, Amtech filed a letter seeking to have its pending waiver request treated on a "permit-but-disclose" basis for purpose of the Commission's ex parte rules.

In the course of examining the filings in this proceeding, OET has concluded that the public interest would be served by modifying the applicable ex parte procedures in this case to permit a fuller exchange on the complex issues under consideration in this proceeding. Therefore, in accordance with Section 1.1200(a) of the Commission's Rules, 47 C.F.R. § 1.1200(a), as revised, this proceeding will be treated, for ex parte purposes, as a "permit-but-disclose" proceeding and subject to the "permit-but-disclose" requirements under Section 1.1206(b) of the rules, 47 C.F.R. § 1.1206(b), as revised.²

Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 C.F.R. § 1.1206(b)(2), as revised. Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.

¹See Public Notice released April 19, 1996, DA 96-609.

²See Amendment of 47 C.F.R. § 1.1200 et seq. Concerning Ex Parte Presentations in Commission Proceedings, Report and Order in GC Docket No. 95-21, 62 Fed. Reg. 15,852 (April 3, 1997).

For further information concerning this proceeding contact Anthony Serafini at (202) 418-2456, Policy and Rules Division, Office of Engineering and Technology.

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