

**ORIGINAL**

BEFORE THE

**Federal Communications Commission**

WASHINGTON, D.C. 20554

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In the Matter of )  
 )  
Revision of Part 15 of the Commission's Rules )  
Regarding Ultra-Wideband Transmission Systems )

ET Docket 98-153

OCT 3 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: The Commission

**REPLY COMMENTS OF THE U.S. GPS INDUSTRY COUNCIL  
IN SUPPORT OF MOTOROLA, INC. MOTION FOR EXTENSION OF TIME**

The U.S. GPS Industry Council (the "Council"), by its attorneys, hereby supports the motion of Motorola, Inc. ("Motorola") to extend the deadline for reply comments in the above-captioned rulemaking proceeding from October 12, 2000 to November 21, 2000.<sup>1</sup> The Council, like several others who have filed comments in support of Motorola's motion, believes that good cause has been shown for grant of the requested extension, and that there are no overriding public or private interest reasons to deny Motorola's motion.

On September 12, 2000, the Council, along with more than 130 other parties, filed comments in response to the Commission's notice of proposed rule making in this proceeding. Many different industries and spectrum user communities, each with its own perspective on the subject of UWB, are represented among the filers. Approximately half of the comments contain technical information and arguments that substantively address the subject of applications of ultrawideband ("UWB") technology in or near frequency bands that are being used for the provision of communications or safety-of-life services. All of the varying

<sup>1</sup> See Motion of Motorola, Inc. for Extension of Time (filed September 20, 2000).

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viewpoints must be evaluated and reconciled in the parties' reply comments, and this takes time.

There is every reason to proceed carefully here, as the Commission is now considering whether or not to introduce into the civilian communications infrastructure a technology that has been largely dormant for most of the last 75 years, except in specially controlled national security environments. The proposed introduction of the time-domain based UWB technology into the frequency domain regime poses serious and complex technical challenges that require the establishment of a fundamental understanding of the basic science involved. The extension sought by Motorola is both prudent and helpful in advancing the Commission's stated goal of securing comprehensive and thoughtful comments on the unique and unprecedented proposals contained in its notice of proposed rule making. The Council believes that additional time will be helpful for all parties involved to define a thoughtful and constructive way forward. This way forward should, in the Council's view, enable proponents of UWB to secure a fair test of the market while protecting existing critical information infrastructure represented by the Council and other commenters.

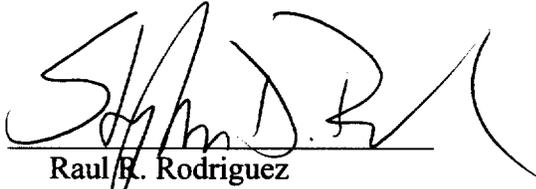
On the other side of the equation, grant of the extension requested by Motorola would not hinder the Commission's ability to work diligently on the issues raised in this proceeding or otherwise be contrary to the public interest in its successful conclusion. The Council notes that the Commission has committed not to adopt rules in this proceeding until data from the necessary tests is both submitted into the record and subjected to public comment – a

commitment which means that any delay in the filing of reply comments on the notice of proposed rule making will not be material.<sup>2</sup>

The Council must emphasize, in conclusion, that it does not agree that even an extension to November 21 will enable all of the fundamental and difficult questions on UWB to be addressed. Nevertheless, it is convinced that an extension would permit, in a way virtually impossible under the pressures imposed by the current October 12 deadline, the reply comments in this initial round to contribute meaningfully to the record of this rulemaking proceeding. It therefore urges the Commission to grant Motorola's motion and extend the deadline for reply comments on the notice of proposed rule making in the instant proceeding to November 21, 2000.

Respectfully submitted,

THE U.S. GPS INDUSTRY COUNCIL

By: 

Raul R. Rodriguez  
Stephen D. Baruch

Leventhal, Senter & Lerman P.L.L.C.  
2000 K Street, N.W.  
Suite 600  
Washington, D.C. 20006  
(202) 429-8970

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Its Attorneys

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<sup>2</sup> The Council notes further that the Commission can work – and indeed is believed to be working – on the issues raised in this proceeding even in the interval between comments and reply comments.