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January 31, 2002

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RECEIVED

JAN 31 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

By Hand

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

**Re: Revision of Part 15 of the Commission's Rules Regarding
Ultra-Wideband Transmission Systems
ET Docket No. 98-153 /
Ex Parte Communication**

Dear Mr. Caton:

Pursuant to Section 1.1206(b) of the Commission's rules, I am writing on behalf of the Short Range Automotive Radar Frequency Allocation group ("SARA"), an association of automotive and automobile component manufacturers, to notify you of an *ex parte* communication made via e-mail to various staff at the Commission on January 31, 2002 regarding the above-referenced proceeding. The e-mail communication made the following points in summarizing an *ex parte* filed in this docket yesterday on behalf of SARA:

- SARA is filing this *ex parte* because of a concern that NTIA might be requesting the FCC to move the frequency of SARA's operations to a band other than the 24 GHz band (We have no way of knowing for sure, since NTIA has not stated anything to us).
- The UWB proceeding record does not contain any documented suggestion that 24 GHz UWB operations will interfere with any service.

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- Specifically, 24 GHz UWB operations do not cause harmful interference to radio astronomy or Earth Exploration Satellite Services, two services that have allocations at 23.6-24.0 GHz.
- Being able to operate in the 24 GHz band at -41 dBm is critical to the viability and reliability of the 24 GHz UWB devices. If the car and car parts manufacturers that are developing these devices are not allowed to operate according to those parameters, the life-saving devices will never find their way into the marketplace.
- There is nothing in international footnote S5.340 or US footnote US246 (the footnote implementing S5.340 in the US) that prohibits the FCC from allowing UWB devices to operate in a manner that causes intentional emissions into the 23.6-24.0 GHz band (in fact, US246 does not even apply to Part 15 devices).
- The regulatory process for securing approval to operate 24 GHz UWB is well on its way in Europe, and we have every reason to believe that it will be successful.

The e-mail communication was sent to the following staff: Peter Tenhula, Senior Legal Advisor to Chairman Powell, Bryan Tramont, Senior Legal Advisor to Commissioner Abernathy, Monica Desai, Legal Advisor to Commissioner Martin, Paul Margie, Legal Advisor to Commissioner Copps, Edmond Thomas, Chief (Designate), Office of Engineering and Technology ("OET"), Julius Knapp, Deputy Chief, OET, Karen Rackley, Technical Rules Branch Chief, OET, Lisa A. Gaisford, Chief of Staff, OET, and John Reed, Senior Engineer, OET.

HOGAN & HARTSON L.L.P.
Mr. William F. Caton
January 31, 2002
Page 3

An original and one copy of this letter is submitted for inclusion in the proceeding record.

Respectfully submitted,



Ann Q. Fitzgerald
Counsel for SARA

cc: Mr. Peter Tenhula
Mr. Bryan Tramont
Ms. Monica Desai
Mr. Paul Margie
Mr. Edmond Thomas
Mr. Julius Knapp
Ms. Karen Rackley
Ms. Lisa A. Gaisford
Mr. John Reed