



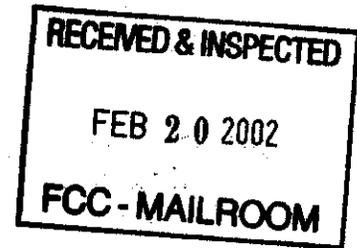
ORIGINAL

MULTISPECTRAL SOLUTIONS, INC.

A Tradition of Excellence in Innovation

EX PARTE OR LATE FILED

25 January 2002



Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: ET Docket ~~98-153~~ Ultra Wideband  
*Ex Parte Notice*

Dear Ms. Salas:

On January 24, 2002, I met with Mr. Peter Tenhula, Senior Legal Advisor to FCC Chairman Michael Powell. We discussed the pending Commission's rule making on ultra wideband (UWB) technology. Specifically, we stated to Mr. Tenhula that:

- (a) Multispectral Solutions, Inc. (MSSI), as a UWB company, strongly supports the Department of Defense position, as recently elaborated by Assistant Secretary of Defense John Stenbit, that unlicensed UWB emissions must be completely restricted from frequencies below 4.2 GHz, with a sharp (>35 dB) suppression of out-of-band emissions (OOBE) below such cut-off frequency;
- (b) Regardless of the lower frequency cut-off (whether 3.1, 4.2, 5.46 or 6.0 GHz as recommended by various Government, UWB and other commercial entities), a viable UWB industry will emerge because of the tremendous value of radio spectrum;
- (c) Protection of GPS, safety-of-flight, PCS/PCN, satellite and other users in the lower microwave frequency bands is not only critical to National defense and homeland security, but is also sound business practice which will enable the successful commercialization of UWB technology;
- (d) The requirement to license through-the-wall sensors and imaging devices will not negatively impact their viability or system cost. Rather, by permitting higher powers on a licensed basis, public safety sector (e.g., firefighters, etc.) needs can be fully met without jeopardizing existing spectrum allocations through the indiscriminant proliferation of unlicensed, and hence, uncontrollable, devices; and, finally,
- (e) Serious interference from UWB devices operating at high pulse repetition frequencies (over a few hundred thousand pulses per second) within restricted bands is real, measurable and has been verified by all interference tests to date. I

No. of Copies rec'd           

List A B C D E

pointed out that this conclusion is consistent with over 17 years of experience in the development and fielding of UWB systems.

Pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. 1.1206, an original and a copy of this letter have been submitted for inclusion in the public record. Please let me know if there are any questions concerning this letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert J. Fontana", written over a horizontal line.

Robert J. Fontana, Ph.D.  
President

Cc: Chairman Michael Powell  
Commissioner Kathleen Abernathy  
Commissioner Kevin Martin  
Commissioner Michael Copps  
Assistant Secretary of Defense John Stenbit  
Deputy Assistant Secretary of Commerce Michael Gallagher  
Peter Tenhula, Senior Legal Advisor, Office of Chairman Powell  
Julius Knapp, Deputy Chief, OET