



PUBLIC NOTICE

Federal Communications Commission
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DA 08-1077

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WIRELESS TELECOMMUNICATIONS BUREAU AND PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEK COMMENT ON REQUEST FOR WAIVER BY RECONROBOTICS, INC. TO ALLOW CERTIFICATION AND USE OF REMOTE-CONTROLLED SURVEILLANCE ROBOT OPERATING AT 430-448 MHz

WP Docket No. 08-63

Comment Date: May 27, 2008

Reply Date: June 6, 2008

On January 11, 2008, ReconRobotics, Inc. (ReconRobotics) filed a request for waiver of Part 90 of the Commission's Rules¹ with respect to the Recon Scout, which is a remote-controlled, maneuverable surveillance robot designed for use in areas that may be too hazardous for human entry. It can be thrown, dropped, or launched into hazardous areas and can provide an operator located a safe distance away with video and audio, along with infrared, biological, chemical, heat, radiation, or other needed data. ReconRobotics seeks a waiver to permit equipment certification of the Recon Scout, and its use by state and local law enforcement and firefighting agencies and by security personnel in critical infrastructure industries.

A waiver is required to permit licensing of the Recon Scout because the device operates in the 430-448 MHz band, which is allocated to the Federal Government Radiolocation service on a primary basis, and to the amateur service and certain Non-Federal radiolocation systems on a secondary basis.² ReconRobotics asserts that because the Recon Scout operates with a peak power of 1 watt peak (0.25 watts average), it is unlikely to cause interference to these services. ReconRobotics indicates that the Part 15 rules for the 915 MHz, 2.4 GHz, and 5.8 GHz bands are not suitable for the Recon Scout because they do not permit enough power for building penetration; and that use of those bands would require additional power, resulting in batteries too big and heavy for a device intended to be small and light enough to be dropped or thrown. ReconRobotics also proposes a number of waiver conditions, including: limiting eligibility to law enforcement and firefighting agencies, and critical infrastructure industry security personnel; limiting use to actual emergencies involving threats to safety of life, and necessary training; limiting the number of units to be sold; and permitting operation only on a secondary basis with respect to Federal users, on a non-

¹ 47 C.F.R. Part 90.

² See 47 C.F.R. §§ 2.106, 90.103(c)(21), 97.303(f). Non-Government radiolocation stations are secondary to both Government radiolocation stations and amateur stations.

interference basis to the amateur radio service, and on a co-equal basis with respect to other non-Federal users. We seek comment on the waiver request.³

Procedural Matters

Comments on the request are due **no later than May 27, 2008**. Reply comments are due **no later than June 6, 2008**. All filings should reference the docket number of this proceeding, WP 08-63.

This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁴ Parties making oral *ex parte* presentations in this proceeding are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁵ More than a one- or two-sentence description of the views and arguments presented is generally required.⁶

The request is available for public inspection and copying in the Commission's Reference Center, Room CY-A257, 445 12th Street, S.W., Washington, D.C. 20554. Copies of the Request also may be obtained via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WP 08-63. Copies of the request are also available from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See* Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters 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 for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, “get form.” A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent 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). The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

-The filing hours at this location are 8:00 a.m. to 7:00 p.m.

³ Commenters supporting the waiver request should address what service and technical rules should be waived, and should also consider whether the proposed operations require a waiver of the U.S. Table of Frequency Allocations, 47 C.F.R. § 2.106.

⁴ *See* 47 C.F.R. §§ 1.1200(a), 1.1206.

⁵ *See* Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

⁶ *See* 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written presentations are also set forth in Section 1.1206(b). *See* 47 C.F.R. § 1.1206(b).

- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.
- All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Parties shall 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.

Comments filed in response to this *Public Notice* 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, and via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WP 08-63. The comments may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, 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 Brian Millin at (202) 418-7426 (voice), (202) 418-7365 (TTY), or send an e-mail to access@fcc.gov.

For further information, contact Mr. Tim Maguire of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-2155, tim.maguire@fcc.gov, or Mr. Zenji Nakazawa of the Public Safety and Homeland Security Bureau, Policy Division, at (202) 418-7949, zenji.nakazawa@fcc.gov.

Action by the Acting Deputy Chief, Wireless Telecommunications Bureau, and the Deputy Chief, Public Safety and Homeland Security Bureau.