

JAN. 10. 2000 4:10:40AM

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TO	Ray Kowalski	FROM	Gary Devlin
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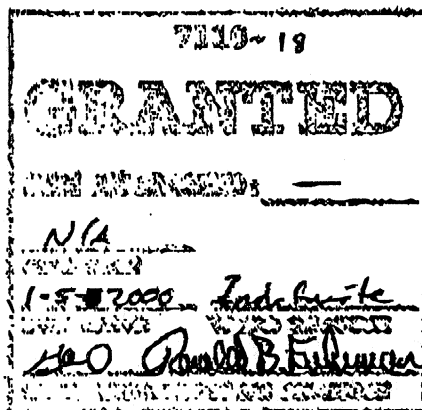
January 4, 2000

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Via Fax to: 717-338-2689

Mr. Gary Devlin

Wireless Telecommunications Bureau
Federal Communications Commission
Gettysburg, Pennsylvania



Re: Adaptive Broadband
Request for Interpretation of §90.733(c) of the Rules.

Dear Mr. Devlin:

On behalf of Adaptive Broadband, a manufacturer of high quality microwave radio equipment, this is to request the Commission's interpretation of §90.733(c) of the rules. The rule states:

§90.733 Permissible operations.

(c) For operations requiring less than a 4 kHz bandwidth, more than a single emission may be utilized within the authorized bandwidth. In such cases, the frequency stability requirements of §90.213 do not apply, but the out-of-band emission limits of §90.210(f) must be met.

Adaptive Broadband believes that the rule means that if the radio operates in less than 4 kHz bandwidth, the equipment need not meet the frequency stability requirements that would otherwise apply, so long as the signal stays within the appropriate emission mask.

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Confusion arises because the rule discusses the use of more than one emission. However, we believe it makes no sense to interpret the rule to mean that the use of multiple emissions is a *condition* for exemption from the frequency stability requirements. Rather, we believe that this language simply confers the right to use more than one emission, *in addition to* the exemption from the frequency stability requirements, when the radio uses less than 4 kHz bandwidth and the signal remains within the authorized emission mask.

Adaptive Broadband manufactures a line of equipment that operates in 2.8 kHz, well inside of 4 kHz. The signal produced by the equipment meets the appropriate emission mask. Accordingly, it is our belief that the frequency stability requirements of §90.213 do not apply to this equipment.

We would greatly appreciate the Commission's confirmation of this interpretation.

Sincerely,



Raymond A. Kowalski
Counsel to Adaptive Broadband

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DATE: January 10, 2000**TOTAL NO. OF PAGES:** 2 + COVER**TO: NAME:** Jack Schanker**FIRM/COMPANY:****CITY/STATE/COUNTRY:** Rochester, NY**TELECOPIER PHONE NO:** (716) 242-8427**CONFIRMATION NUMBER:** (716) 242-8454**FROM: NAME/ID NO:** Raymond A. Kowalski/459/MI10346**PHONE NO:** (202) 434-4230

MESSAGE: Jack, as requested. Ray.

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