



PUBLIC NOTICE

Federal Communications Commission
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DA 16-1423

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON KONGSBERG SEATEX AS REQUEST FOR WAIVER TO PERMIT CERTIFICATION AND USE OF MARITIME BROADBAND RADIO

WT Docket No. 16-413

Comment Date: January 20, 2017

Reply Date: February 3, 2017

By this *Public Notice*, we seek comment on a request for waiver filed by Kongsberg Seatex AS (Kongsberg) to permit certification and use of a maritime broadband radio (MBR).¹ The MBR is a real-time, phased array digital radio that operates in the 5 GHz band and offers high-speed reliable data transfer between vessels and structures at sea. It provides up to 15 Mbps IP connectivity between multiple stations at ranges in excess of 50 kilometers. Kongsberg states that the MBR handles difficulties related to sea fading, and provides reliable and resilient data links in maritime operations. Typical uses include hydrographic surveys and offshore oil and gas operations.

Kongsberg seeks authorization for operation of the MBR in either the 5460-5660 MHz band or the 5850-5925 MHz band. The 5460-5660 MHz band is currently allocated to the following services: Earth-Exploration Satellite, Radiolocation, Radionavigation, Maritime Radionavigation, Space research and Meteorological Aids. The 5850-5925 MHz band is allocated for the Fixed-Satellite and mobile services, including a secondary allocation for Amateur operations. The Dedicated Short-Range Communications Service (DSRCS) also operates in this band.²

The Commission's rules do not provide for the certification and use of the MBR in these frequency bands. Consequently, Kongsberg seeks a waiver of section 80.375(d) and part 90 subpart M of the rules in order to permit certification and use of MBR system.³

We seek comment on the waiver request.

¹ See Request for waiver for Kongsberg Maritime Broadband Radio (MBR), dated November 9, 2016.

² See 47 CFR § 2.106.

³ See 47 CFR § 80.375(d); see also 47 CFR Part 90 Subpart M (governing the licensing and use of frequencies in the 5850-5925 MHz band for Dedicated Short-Range Communications Service).

Procedural Matters

Interested parties may file comments and reply comments in response to the waiver request on or before the dates listed on the first page of this *Public Notice*. All pleadings must reference WT Docket No. 16-413. Parties may file comments using (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁴

- Electronic Filers: File comments electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- In completing the transmittal screen, filers 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, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- Paper Filers: Parties who choose to file by paper must file an original and two copies of each filing.

Send filings by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. Address filings to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Deliver hand-delivered or messenger-delivered paper filings to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554 between 8:00 AM and 7:00 PM. Use rubber bands or fasteners to hold deliveries together. Dispose of all envelopes before entering the building.
- Send commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- Send U.S. Postal Service first-class, Express, and Priority mail to 445 12th Street, SW, Washington DC 20554.

Parties are requested to 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.

The request, and comments and reply comments filed in response to this *Public Notice* are available for viewing via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT No. 16-413. The documents also 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. They may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (202) 488-5563, TTY (202) 488-5562, 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 the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY), or send an e-mail to fcc504@fcc.gov.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁵ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral

⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, Report and Order, 13 FCC Rcd 11322 (1998).

⁵ See 47 CFR §§ 1.1200(a), 1.1206.

ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, contact Mr. Tim Maguire of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-2155, tim.maguire@fcc.gov.

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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