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FEDERAL COMMUNICATIONS COMMISSION OFFICE OF SECRETARY

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THOMAS G. GHERARDI, P.C. COUNSEL

January 20, 1995

Mr. H. Franklin Wright Office of Engineering and Technology Federal Communications Commission Room 7322 2025 M Street, N.W. Washington, D.C. 20554 Re: Itron, Inc. Experimental Radio Station KA2XMI

Dear Mr. Wright:

As you are aware, Itron Inc. ("Itron") currently has nationwide experimental authority to operate in the 952 and 956 MHz frequency bands to develop and test its off-site meter reading ("OMR") systems. <u>See</u> Call Sign KA2XMJ, File No. 3280-EX-ML-92.

This letter is to inform the Commission that, pursuant to this experimental authority, Itron will be selling limited quantities of equipment to third party utilities and permitting these utilities to conduct operational tests of Itron's OMR equipment on the frequencies identified above. In order to ensure that utilities operating pursuant to Itron's experimental authority comply with the terms of the FCC's grant, Itron will include in each such contract a provision that states:

Itron, Inc. ("Itron") has obtained temporary experimental authority from the Federal Communications Commission ("FCC") to operate in the 952 and 956 MHz frequency bands to develop and test its offsite meter reading ("OMR") systems, and the parties acknowledge and agree that Itron is and shall remain the holder of such experimental authority. Customer further agrees to operate the equipment in accordance with the requirements of the FCC's rules and the terms and conditions of Itron's experimental authority, which is attached hereto as Exhibit ____, including without limitation the obligation to cease transmitting if Customer's Mr. H. Franklin Wright January 20, 1995 Page 2

> transmissions cause harmful interference to an established radio service. In case at any time after the date hereof any further action is necessary or desirable to comply with the requirements of the FCC, each party to this Agreement will, or will cause its proper officers, directors, partners, affiliates or associates, as the case may be, to take all such necessary action including, without limitation, the execution and delivery of such further instruments and documents or amendments to this Agreement as may reasonably be necessary to comply with such requirements.

Unless we hear otherwise from you, we will proceed to operate in the manner described above and will consider such activities to be fully consistent with the FCC's grant of experimental authority. Please associate this letter with Itron's station file.

Thank you for your assistance on this matter.

Sincerely Joseph A. Godles Attorney for Itron, Inc.

cc: Mr. Doug Stewart