

REQUEST FOR PERMANENT EXPERIMENTAL AUTHORITY

Proxim, Inc. ("Proxim") herein seeks permanent experimental authority to continue the testing and development of its experimental prototypes -- previously authorized by the Commission under Special Temporary Authority (STA)¹ -- in the band of 5.15-5.75 GHz. The circumstances under which Proxim sought STA are the same as those that prompt it now to seek permanent authority. Proxim maintains that it seeks the instant authority for the purpose of developing radio equipment for export only to be employed by stations used exclusively in international markets in Europe. Because it does not have overseas development facilities, Proxim must test its equipment for European use at its California facilities.

The operation consists of up to ten (10) base units at various locations in California in order to supplement Proxim's development of its emerging wireless bridge system. As part of its ongoing development, Proxim sought and was granted STA to test its devices for potential European customers, and Proxim now seeks this permanent authority in order to gain additional valuable feedback about its devices using the frequency bands required by European radiocommunications rules. Proxim is seeking the instant request to continue its operations under experimental rules because the scope and duration of its proposed operations warrant only authority under Part 5 of the Commission's rules and, furthermore, because the units being tested in the instant program would ultimately be exported to European markets once certified for use there. Operation of the subject facilities is thus not permitted under the procedures set forth under the testing authority in Part 15 of the Commission's rules.

Proxim's pilot program has proven very successful. Accordingly, Proxim has committed considerable resources to pursuing the application of its technology to members of police, fire, and other public safety agencies, in Europe, and thus seeks authority to continue testing those devices in real terrain conditions on a longer-term basis. At present, Proxim is committed to at least 30 months of additional testing and development, and thus requests permanent experimental authority to continue operation of the devices for at least that long.

Likewise, Proxim accepts the conditions applied to its STA grant, which conditions are likely to be applied as well to the ultimate grant of its application for permanent authority, namely:

¹ File No. 0560-EX-ST-2005.

- Proxim is aware that the Federal government operates high power radars in this band and thus accepts any interference that may occur to its devices from those radars.
- Proxim is aware that Europe and the U.S. limit this equipment to indoor use only in certain bands. In the U.S., 47 CFR 15.407(e) of the Commission's rules limits 5150-5250 MHz to indoor use and in Europe the band 5150-5350 MHz is authorized for indoor use only. Therefore, Proxim accepts that the use of its facilities in the band 5150-5350 MHz would be limited to indoors only.

Proxim herein respectfully requests that the OET process its request for permanent authority on the basis of the details contained herein. Additionally, Proxim submits that the OET already determined that the operation of these devices for testing and development was in the public interest, by virtue of the issuance of the original STA authorizing Proxim to commence its research, and thus the instant request is likewise intended to serve the public interest as Proxim expands its pilot program.