

**SUPPORTING STATEMENT
AND REQUEST FOR EXPEDITED TREATMENT**

Pursuant to Sections 5.3(b) and 5.53 of the Federal Communications Commission (“FCC”) rules, 47 C.F.R. §§ 5.3(b), 5.53 (2008), Southwest Research Institute (“SwRI”) respectfully requests permission, commencing **February 1, 2010**, to conduct tests at an additional site located in a rural area approximately 40 miles from its currently authorized site so that it may meet the requirements of subcontract SJC-09-50492 related to work commissioned by the United States government.

Specifically, SwRI seeks to evaluate the propagation characteristics of equipment operating on a subset of channels already authorized under its license: primarily in the bands 915 MHz and 2450 MHz, but also in the bands 523 MHz, 661 MHz, 830 MHz, 1850 MHz, 2100 MHz, 3290 MHz and 5800 MHz. SwRI expects to conduct such tests only on a limited basis: for a period of 30 seconds or less, no more than two times per hour, and only once a week each month during the term of its license.

In support of SwRI’s request, the following is shown:

1) Applicant Information:

Southwest Research Institute
P.O. Box Drawer 28510
6220 Culebra Road
San Antonio, TX 78238-5166

FCC Registration Number (FRN): 0004074217

2) Need for Expedited Treatment:

SwRI is an independent, not-for-profit, applied engineering and development organization devoted to technology development and transfer. It conducts business with the industry and government (U.S. and other friendly nations) on a worldwide basis. Approximately 50% of the SwRI’s business is for the U.S Government.

Through this modification application, SwRI seeks permission to conduct tests for a prime contractor, Raytheon Missile Systems, in support of its contract with the U.S. Government. Expedited grant of the application will allow SwRI to provide information needed immediately by the prime contractor for the benefit of the U.S. Government. SwRI anticipates its research will ultimately assist the Federal Government in meeting its national security responsibilities.

3) Purpose and Description of Operation:

The experimental authority requested herein will allow SwRI to test the propagation and performance characteristics of a variety of wireless devices. This evaluation will include an assessment of the functionality of the devices and their ability to operate under varying conditions.

4) Dates of Proposed Operation:

February 1, 2010, through the term of its current license.

5) Location of Proposed Operation:

The additional authority requested in this modification application will permit SwRI to conduct tests at a remote test site operated by Southwest Research Institute near Yancey, Texas. The address of that site is:

End of CR 1520 off CR 749 off FM 462
Yancey (Medina), Texas
Coordinates: 29-04-07N; 099-11-09W (NAD 83)

The test site is located on a large, unimproved ranch. The nearest town is more than 10 miles away. The test program requires the use of an open field area away from all obstructions and clear of the city environment. This site meets these requirements.

6) Frequencies Requested:

As noted above, SwRI seeks to evaluate the propagation characteristics of equipment operating on a subset of channels already authorized under its license: primarily in the bands 915 MHz and 2450 MHz, but also in the bands 523 MHz, 661 MHz, 830 MHz, 1850 MHz, 2100 MHz, 3290 MHz and 5800 MHz.

7) Technical Specifications:

Operations at the new location will be conducted with the same power levels, emissions, and modulation techniques authorized at its existing location. The signal will not exceed 1 kHz within a bandwidth of 2 kHz. As no information will be transmitted, the emission designator is 2K0N0N. If other emission modes and modulation techniques are utilized, in no event will the emissions extend beyond the frequency bands requested.

8) Overall Height of Antenna(s) Above Ground:

SwRI will comply with all FAA and FCC rules and regulations regarding the installation and operation of antennas. The antennas to be deployed under this authority will not extend more than six meters above the ground or, if mounted on an existing building or tower, will not extend more than six meters above the building or above the FAA/FCC approved height of the tower with appurtenances.

9) Restrictions on Operation:

SwRI understands that other stations may be licensed on the channels it has requested and that, if any interference occurs, it may be required to discontinue its operations immediately. It does not expect such interference to occur, however, as its tests will be conducted only on a limited basis as described above.

Moreover, SwRI does not propose to market, sell, or lease unapproved equipment to end users or conduct a market study in conjunction with this test. After the completion of the tests, SwRI will recall and recover all devices that do not comply with FCC regulations. If any different treatment becomes necessary during the course of its experimentation, SwRI will seek separate and additional authority from the agency.

Last, SwRI understands that permission to operate the units has been granted under experimental authority issued by the Federal Communications Commission, is strictly temporary, and may be cancelled at any time.

10) Interference Protection/Stop Buzzer Contact Information:

SwRI recognizes that the operation of any equipment under experimental authority must not cause harmful interference to authorized facilities and that this request will need to be coordinated by the Commission through the Interdepartment Radio Advisory Committee ("IRAC") of the National Telecommunications and Information Administration ("NTIA"). Should interference occur, SwRI will take immediate steps to resolve the interference, including if necessary arranging for the discontinuance of operation. In any event, SwRI submits that its experimental operations are unlikely to cause interference. It proposes to limit the power and transmitting times of the proposed tests to the minimum necessary to conduct its evaluations.

SwRI advises the Commission that Scott Mullin, Senior Program Manager, is the technical contact for this request. He will be personally responsible for the operations to be conducted and will serve as the "stop buzzer" in the event that operations must be terminated because of any interference concerns. Mr. Mullin can be reached at (210) 522-2340; email: scott.mullin@swri.org.

11) Compliance With Human Exposure Limits:

SwRI certifies that it will operate in full compliance with IEEE C95.1 - 1991, "IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz." All personnel who will operate the equipment are knowledgeable as to the effects of RF energy and will have the ability to control their exposure.

12) Application Contact Information:

Company Contact:

Scott Mullin
Senior Project Manager
Southwest Research Institute
P.O. Box Drawer 28510
6220 Culebra Road
San Antonio, TX 78238-5166
Telephone: (210) 522-2340
Facsimile: (210) 522-6290
Email: scott.mullin@swri.org

Legal Contacts:

David E. Hilliard
Kurt E. DeSoto
Wiley Rein LLP
1776 K Street, N.W.
Washington, DC 20006
Telephone: (202) 719-7000
Facsimile: (202) 719-7207
Email: dhilliard@wileyrein.com
Email: kdesoto@wileyrein.com