

FEDERAL COMMUNICATIONS COMMISSION
Experimental Licensing Branch
445 12th Street, S.W., Room 7A-321
Washington, D.C. 20554

November 15, 2004

Attn: Robert A. Heber, Vice President of Operations
AVIATION PROTECTION SYSTEMS, INC.
19599 N.E. 10th Avenue
North Miami, FL 33179
USA

DISMISSED-WITHOUT PREJUDICE

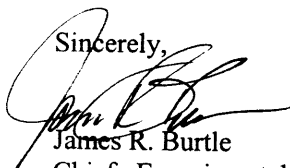
Dear Robert A. Heber, Vice President of Operations,

This refers to application, File No. 0621-EX-ST-2004, for an experimental authorization. You are advised that the Commission is unable to grant your application for the facilities requested. This application was dismissed for the following reasons provided by the FAA:

1. The proposed frequency band operates across aeronautical radio navigation spectrum used for Distance Measurement Equipment and TACAN operations, spectrum used by the GPS, and aeronautical radio navigation spectrum used for long range radar systems;
2. Other companies with similar systems have requested spectrum support in the past and were advised that the Dept. of Homeland Security is managing a program called MANPADS (man portable air defense system). The MANPADS program office is evaluating technologies to satisfy the same purpose that the proposed system below intends to be used for. At this time, the FAA is only evaluating systems that are under the DHS program. As a benchmark of whether the below system would be considered, the RF based system that DHS was considering/evaluating did not get selected for Phase 2 of the contract--laser based systems were what was selected for further evaluation;
3. The FAA has not authorized the installation of flare based decoy systems on aircraft which is what the system below uses;
4. Even if it was plausible to consider supporting the system requested below, much more technical information would be required to allow the compatibility analysis of such a system, much more time and resources would be required to analyze such a system, and many more operational related questions would need to be answered before the FAA could consider support of such a system. The FAA could not consider supporting such a system through the STA process.

Responses to this correspondence must contain the Reference number : 3285

Sincerely,



James R. Burtle
Chief, Experimental Licensing Branch